



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

Government Operations Committee

October 10, 2017
1:30 P.M.
Commission Chambers

Office of the Commission Auditor
111 N.W. First Street, Suite 1030
Miami, FL 33128
(305) 375-2524

**GOC Meeting: October 10th, 2017
Research Notes**

**Item No. 1G1
File No. 171064**

Researcher: PGE

ORDINANCE RELATING TO IMMOBILIZATION OF VEHICLES WITHOUT CONSENT; AMENDING SECTION 30-476 OF THE CODE; ESTABLISHING REVISED MAXIMUM RATES FOR IMMOBILIZATION OF VEHICLES AT THE REQUEST OF PRIVATE PROPERTY OWNERS AND POLICE AGENCIES WITHOUT PRIOR CONSENT OF THE VEHICLE OWNER OR A DULY AUTHORIZED DRIVER; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should approve amending Section 30-476 of the Code relating to immobilization of vehicles without consent to update the maximum rates for immobilization of vehicles at the request of private property owners and police agencies.

APPLICABLE LEGISLATION/POLICY

Section 125.0103(c) of the Florida Statutes requires counties to establish maximum rates which may be charged on the towing of vehicles from or immobilization of vehicles on private property, removal and storage of wrecked or disabled vehicles from an accident scene or for the removal and storage of vehicles, in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle.

Also see Section 166.043 of the Florida Statutes relating to ordinances and rules imposing price controls.

Section 30-476 of the County Code prescribes the rules governing “maximum immobilization, non-consent towing and storage rates for providing immobilization or tow services at the request of property owners or police agencies” for both incorporated and unincorporated Dade County. Under this Code section, the County Commission establishes maximum rates for immobilization, recovery, non-consent towing, removal and storage services at the request of a police agency, or a property owner or authorized representative, without the prior consent of the vehicle owner or other authorized person in control of the vehicle. The rates shall be uniform throughout the incorporated and unincorporated areas, except where municipalities have set differing maximum rates for their jurisdictions.

Ordinance No. 16-59, adopted by the Board on June 7, 2016, rescinded Resolution Nos. R-694-99, R-853-03 and R-621-08, to revise the maximum rates for towing, recovery and storage of vehicles at the request of private property owners and police agencies without prior consent of the vehicle owner.

PROCEDURAL HISTORY

This item was deferred at the June 13, 2017 Government Operations Committee. Commissioner Sosa stated that she would not support increasing the rates due to the increased financial burden it would place on the public. Commissioner Suarez indicated that while he supported an increase in the rates, he did not support the proposed amounts and requested the foregoing proposed ordinance be deferred for the amounts to be reviewed and revised. Chairman Moss asked the Administration to provide a report detailing the current immobilization and booting rates as found in different areas throughout the region.

The item was adopted on first reading at the May 2, 2017 Board meeting. On May 8, 2017, municipalities were notified of the public hearing scheduled for the June 13, 2017 Government Operations Committee.

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FISCAL IMPACT

The Fiscal Impact Statement accompanying the item states that its implementation would not have a fiscal impact on the County as it will not result in additional staffing needs.

ANALYSIS

Maximum rates provide a rate ceiling for non-consent tows, although individual towers may establish rates that are lower than the maximum permitted rates. The maximum rate for the removal of an immobilization or booting device was established in 1999 and has not been adjusted since. While Ordinance No. 16-59 increased maximum rates for tows, it did not establish new maximum rates for vehicle immobilization and removal of immobilization devices. Owners of vehicles that are illegally parked and immobilized at the request of a property owner or police department will incur the cost associated with the rate increase. The item suggests that industry costs justify the proposed increases but does not explain the formula used to arrive at the proposed numbers.

As indicated in the Social Equity Statement accompanying the item, the proposed increases will provide companies delivering these services an opportunity to generate additional revenue.

The proposed amendments to Section 30-476(d)(5), Removal of Immobilization or Booting Device, are as follows:

- (1) Increasing the removal rate from \$65 to \$92; and
- (2) Increasing the removal rate where immobilization or booting device operator is still at scene from \$32.50 to \$46.00

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**Item No. 1G2
File No.171758**

Researcher: AIP

ORDINANCE RELATING TO ZONING; AMENDING SECTIONS 33-84, 33-96, 33-107, 33-284.87, 33-314, 21-166, 21-169, AND 33C-2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING STANDARDS, CRITERIA, AND PROCEDURES RELATED TO DIGITAL KIOSK SIGNS; MAKING TECHNICAL AMENDMENTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

This ordinance proposes changes to the County Code relating to zoning. Amendments include technical changes, procedural changes, and changes to definitions and criteria.

APPLICABLE LEGISLATION/POLICY

Amending the following Sections of the County Code: 33-84 (definitions), 33-96 (illumination), 33-107 (Class C commercial signs), 33-284.87 (signs), 33-314 (direct applications and appeals to the County Commission), 21-166 (bus shelter location and extension onto private property), 21-169 (exemption of signs from zoning requirements), and 33C-2 (Rapid Transit Zone).

PROCEDURAL HISTORY

7/07/2017: Requires Municipal Notification by the BBC because it impacts several cities; therefore municipal notice is required.

7/18/2017: The proposed ordinance was adopted on first reading and is set for public hearing before the Government Operations Committee on October 10, 2017.

FISCAL IMPACT

No fiscal impact has been determined.

ANALYSIS

This item deals mainly with digital kiosk signs, which are meant to interact with pedestrians, be used for advertising, as well as offer valuable information such as bus routes. The proposed changes update the current Code to include several provisions that relate to kiosk signs, such as emitting auditory messages when pedestrians interact with it, or illuminating, but must not impact drivers or those who are not interacting with the sign. The item also includes other specifications into the lighting patterns allowed, and the size specifications for the signs. It also states that kiosks placed by the County shall provide Wi-Fi, bus routes and schedules, charging stations, and other useful pedestrian information.

The item updates the definition for "Kiosk Signs" to: "A detached, dual-face sign placed within a base and affixed or permanently attached to the ground, >>where the sign face is<< similar in dimensions to a bus-shelter sign. >>The kiosk structure shall be of pedestrian scale and may also contain Wi-Fi or other equipment that is housed in a compartment that screens the equipment from view."

The item also amends Sec. 21-169 and 33C-2 to specify the exemptions of signs from zoning requirements, as well as the specifications for the Rapid Transit Zone. The "Rapid Transit Zone" consists of all land area, including surface, subsurface, and appurtenant airspace, heretofore or hereafter designated by the Board of County Commissioners as

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necessary for the construction of the fixed-guideway portion of the Stage I Rapid Transit System, including all station sites, parking areas and yard and maintenance shop facilities.

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Item No. 1G3

File No. 171738

Researcher: AIP

ORDINANCE RELATING TO ENVIRONMENTAL PROTECTION; AMENDING SECTIONS 24-44 AND 8CC-10 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING THE POSTING OF NOTICE OF CONTAMINATION ON PROPERTY WHERE ANY PERSON RESIDES OR ON VACANT PROPERTY; REQUIRING CERTAIN INFORMATION TO BE INCLUDED IN THE POSTED NOTICE; REQUIRING LABORATORY RESULTS AND OTHER INFORMATION TO BE PROVIDED TO THE COUNTY; PROVIDING FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING FOR DELAYED ENFORCEMENT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 171654]

ISSUE/REQUESTED ACTION

Whether the Board should approve amending Sections 24-44 and 8CC-10 of the Code to accomplish the following:

- Requiring availability of information to residents about environmental contamination;
- Requiring certain information to be included in the posted notice;
- Requiring laboratory results and other information to be provided to the County;
- Providing enforcement by civil penalty; and
- Providing for delayed enforcement.

APPLICABLE LEGISLATION/POLICY

Section 24-44 and Section 8CC-10 of the County Code are being amended. The ordinance will enhance civil penalties to those who commit violations, including:

- Failure to post notice of contaminated site;
- Failure to provide Department with laboratory results; and
- Other violations of subsection 24-44(2)(j)(v).

PROCEDURAL HISTORY

The original item (171654) was deferred at the July 6, 2017 Board meeting. The proposed ordinance was adopted on first reading and set for public hearing before the Government Operations Committee on October 10, 2017.

FISCAL IMPACT

The item indicates that there is no fiscal impact to the County. However, each of the above-mentioned violations has a civil penalty of \$500.

ANALYSIS

This item provides clear specifications on the notice of contamination, such as when and where it should be posted. The ordinance states that currently the County requires that notice of contamination be provided only in certain limited situations, and therefore, many residents may be unaware that contaminants are present on the property where they reside. Section 24-44 as amended notes that within 10 days of the notice of contamination being posted on the property, the party or parties responsible for SRAs shall send a copy of the notice, laboratory results that comply with Chapter 62-160, and forward a site sketch to the department. In addition to the posting requirements, whenever a party or parties responsible for SRAs receives or has knowledge of laboratory analytical results that comply with appropriate quality assurance protocols, the party or parties responsible for SRAs shall submit such laboratory analytical results to the department.

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Broward County maintains a search database that is accessible to residents that provides information on known contaminated locations within Broward County. These sites include those contaminated with petroleum and non-petroleum constituents. Site information furnished includes facility name, number, location and type, site program type, description of contamination identified, current cleanup status and remediation progress. County residents can look up what properties and areas are considered contaminated but are not necessarily notified directly as this ordinance would encourage.

The item differs from the original version (171654) in that it applies the notice requirements to vacant properties and adds a Florida Department of Environmental Protection guideline as an additional basis for determining whether a property has contamination.

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**Item No. 1G5
File No. 171442**

Researcher: PGE

ORDINANCE RELATED TO BOND UNDERWRITERS; AMENDING SECTION 2-10.6 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING MECHANISM BY WHICH UNFILLED POSITIONS ON INITIAL TEAMS FOR NEGOTIATED BOND TRANSACTIONS MAY BE FILLED AT DISCRETION OF COUNTY MAYOR OR DESIGNEE; CLARIFYING THAT EACH OF THE FIRMS SELECTED TO THE COUNTY'S UNDERWRITING POOL MAY SERVE AS SENIOR MANAGER FOR ANY TRANSACTION WITH A PAR AMOUNT EQUAL TO OR LESS THAN \$125 MILLION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should amend the ordinance related to the County's bond underwriting pool to accomplish the following: (1) provide a mechanism whereby open positions on initial teams for negotiated bond transactions may be filled by the Mayor or Mayor's designee; and (2) clarify that any of the firms in the County's underwriting pool may serve as Senior Manager for any transaction with a par amount equal to or less than \$125 million.

APPLICABLE LEGISLATION/POLICY

Ordinance No. 16-64 adopted by the Board on June 7, 2016 repealed Section 2-10.6 of the County Code related to underwriters, creating a new Section 2-10.6 that replaces the provisions pertaining to the selection of underwriting firms for negotiated bond transactions with new provisions to create an underwriting pool based on each firm's capital strength and ability to underwrite bonds. The new underwriting pool shall consist of three segments – (1) national firms; (2) regional firms; and (3) small business firms. The ordinance also authorized the County Mayor to prepare and issue a Request for Qualifications for the selection of underwriting firms.

Ordinance No. 99-73, adopted by the Board on June 22, 1999, provides that all general obligation, special obligation and revenue bonds of the County be sold at a competitive public sale, unless waived; established the Manager's Finance Committee (MFC) and its composition; and created a new underwriting pool divided into two divisions.

Ordinance No. 04-202, adopted by the Board on November 30, 2004, amended Ordinance No. 99-73 to increase the representatives to the MFC and add a new provision for suspension or removal of firms from the underwriting pool.

PROCEDURAL HISTORY

The item was adopted on first reading at the July 6, 2017 Board meeting.

FISCAL IMPACT

The mayoral memo indicates that the proposed amendments to the ordinance will not have fiscal ramifications to the County.

ANALYSIS

This item proposes to amend Section 2-10.6 of the County Code (Competitive Bidding Requirement for all County Bond Transactions) to (1) ensure that if a situation has occurred in which fewer than the anticipated number of firms have applied under a particular segment of the underwriting pool, the Mayor or the Mayor's designee may fill any open slots on one of the three teams with any other firms that have responded to the RFQ, regardless of the segment under which such firms have applied; and (2) clarify that each of the firms selected to participate in the County's

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underwriting pool may serve as Senior Manager for any transaction with a par amount equal to or less than \$125 million.

On July 18, 2017, the Board adopted Resolution No. R-746-17, which rejected all proposals received for the County's municipal bond underwriting pool. A successful award would have pre-qualified firms to serve as members of the County's bond underwriting pool on all negotiated bond transactions on a non-exclusive, as-needed basis. Thirty-one proposals were received in response to the solicitation. The rejection was based on the elimination of firms due to non-responsiveness determinations by the County Attorney's Office. The item stated that a successor solicitation was being developed to allow for the inclusion of additional firms.

The specific substantive amendments proffered are as follows:

- A new Section 2-10.6(8)(c) that reads as follows: *In the event not enough firms have applied under a particular Segment such that one or more of the three teams cannot be filled as provided above, the Mayor or his designee may fill any remaining slots on the three teams with other firms that have responded to the RFQ regardless of the Segment under which such firms have applied; and*
- A revised Section 2-10.6(9)(c)(ii) that reads as follows: *A Segment 1 firm, ~~or~~ a Segment 2 firm or a Segment 3 firm may be the Senior Manager ~~but must have an Eligible Amount greater than or equal to 60 percent of the par amount of the transaction.~~ A Segment 3 firm may be the Senior Manager on any transaction with a par amount equal to or less than \$125,000,000.00, or if the firm has an Eligible Amount greater than or equal to 60 percent of the par amount of the transaction.*

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Item No. 1G6
File No. 171724

Researcher: AIP

ORDINANCE RELATING TO ZONING; AMENDING SECTIONS 33-302 AND 33-303 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING REGULATIONS FOR APPROVAL OF GOVERNMENTAL FACILITIES TO PROVIDE FOR APPROVAL OF COUNTY FACILITIES WHERE THE COUNTY RETAINS JURISDICTION IN INCORPORATED AREAS; REORGANIZING EXISTING CODE PROVISIONS SETTING FORTH THE COUNTY'S ZONING JURISDICTION AND EXEMPTIONS FOR GOVERNMENTAL FACILITIES HEARINGS; UPDATING DEFINITIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

This ordinance proposes changes to the County Code relating to zoning. Amendments relate to jurisdiction for incorporated areas and formatting/reorganizing existing code provisions.

APPLICABLE LEGISLATION/POLICY

Amending County Code Sections 33-302 (definitions) and 33-303 (exclusive procedure).

Ordinance No. 74-47 which created the Miami-Dade County Administrative Committee, which is listed in Section 33A-5 (definitions); the words "Developmental Impact Committee" shall mean and refer to the Miami-Dade County Administrative Committee, created by Ordinance No. 74-47 of the Board of County Commissioners, adopted on June 18, 1974.

PROCEDURAL HISTORY

7/11/2017: Requires Municipal Notification by BBC as it impacts several cities; therefore notice is required. The proposed ordinance was adopted on first reading and set for public hearing before the Government Operations Committee on October 10, 2017.

FISCAL IMPACT

No fiscal impact has been determined.

ANALYSIS

Similar to item 1G2 (171758), this item seeks to amend the County Code pertaining to regulating government facilities. It will amend Sec. 33-302 definitions for "Developmental Impact Committee," "Director," and "Department." Sec. 33-303 develops an exclusive procedure for zoning in the unincorporated areas or where the County retains zoning jurisdiction in incorporated areas. The item makes an exception for approval of governmental facilities, including any airport or seaport properties.

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**Item No. 3A
File No. 171499**

Researcher: PGE

RESOLUTION AUTHORIZING ACCOUNTS RECEIVABLE ADJUSTMENT FOR MULTIPLE FISCAL YEARS OF CERTAIN MIAMI-DADE COUNTY DEPARTMENTS' UNCOLLECTIBLE ACCOUNTS RECEIVABLE IN THE AGGREGATE OF \$19,665,490, PURSUANT TO IMPLEMENTING ORDER 3-9

ISSUE/REQUESTED ACTION

Whether the Board should authorize adjustments for uncollectible accounts receivable balances totaling \$19,665,490 for multiple fiscal years for County departments.

APPLICABLE LEGISLATION/POLICY

See Implementing Order No. 3-9 (Accounts Receivable Adjustments) which prescribes the County's policies for efficient financial administration, including the administration of customer accounts receivable and the process to adjust uncollectible accounts receivable. The Implementing Order requires accounts receivable adjustments in excess of \$10,000 be reviewed and approved by the Board. The authority to adjust accounts receivable deemed uncollectible for amounts less than \$10,000 per customer within a given fiscal year has been delegated to the County Mayor.

Resolution No. R-589-12, adopted by the Board on July 3, 2012, directed the Administration to provide written quarterly reports to the Board listing all delinquent accounts receivables subject to adjustment that are in excess of \$2,500.

Also see Ordinance No. 99-162 which prohibits individuals and entities who are not current in their obligations to the County from obtaining a new County contract or purchase order.

PROCEDURAL HISTORY

The item was deferred at the July 11, 2017 Government Operations Committee.

FISCAL IMPACT

The mayoral memorandum suggests that approval of the adjustments to the uncollectible accounts will not have a negative fiscal impact to the County.

ANALYSIS

This item is requesting Board authorization to adjust uncollectible accounts receivable totaling \$19,665,490 for multiple County departments. The Public Housing and Community Development, Water and Sewer and Aviation Departments have the largest adjustments. Per Implementing Order No. 3-9, the primary responsibility for collection of accounts receivable rests with the department or agency under which the receivable or claim originated. In general, an account receivable becomes delinquent when payment is not received in accordance with the conditions giving rise to the receivable. A County department shall declare an account past due if it is not paid within 30 days of the due date. If not paid within 90 days of the due date, the account shall be considered delinquent. Each department director or designee must ascertain that their respective internal accounting control system can accommodate a subsidiary accounts receivable ledger that is reconcilable to the County's General Ledger System, and which can monitor changes in customer accounts on a monthly basis, including an aging thereof.

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The adjustments of an uncollectible account receivable is not considered a total forgiveness of debt; customers for whom accounts have been declared uncollectible in excess of \$25,000 or as stipulated by contractual agreement shall not be considered for future business with the County until restitution has been made or agreed to.

For this item, the uncollectible accounts receivables include customer billings for services rendered, fees, receivables from loans, mortgages and/or long-term contracts. The past-due accounts represent revenues that the County is unlikely to collect. The impact is mitigated by the fact that the County establishes an allowance for doubtful accounts. Summary information per departmental uncollectible amount is bulleted below.

- Aviation; covers Fiscal Years 2011-14; 11 accounts; accounts receivable adjustment amount of \$2,974,584;
- Internal Services; Fiscal Years 2000-13; 5 accounts; accounts receivable adjustment amount of \$284,393;
- PHCD; Fiscal Years 2011-14; 197 accounts; accounts receivable adjustment amount of \$11,676,914;
- SWM; Fiscal Year 2013; 1 account; accounts receivable adjustment amount of \$67,375;
- Transit; Fiscal Year 2013; 1 account; accounts receivable adjustment amount of \$610,960; and
- WASD; Fiscal Years 1993-2014; 48 accounts; accounts receivable adjustment amount of \$4,051,264.

Additional Findings

The Finance Department maintains a Vendor Payment Inquiry application designed to present invoice and payment information to County vendors to assist in expediting payment inquiry resolution. Invoice and check payment information is available under the application, as is the date payment is due, the amount paid, the date the check was processed and whether payment was made by check or direct deposit. Invoice and payment information under the application is not available for Aviation Department, Housing Agency, Water and Sewer Department and Public Health Trust obligees as those entities process their own payments.

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Item No. 3B

File No. 171867

Researcher: PGE

RESOLUTION AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY, FOR A NOMINAL SUM OF \$1.00 TO INSTALL AND MAINTAIN ELECTRIC POWER FACILITIES TO SERVICE THE HISTORIC REDLAND FARM LIFE SCHOOL, LOCATED ON COUNTY-OWNED LAND AT 24701 SW 162 AVENUE, HOMESTEAD, FLORIDA; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE EASEMENT AND TO EXERCISE ANY AND ALL OTHER RIGHTS THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should authorize the conveyance of an easement to Florida Power and Light Company (FPL) for a nominal sum of \$1 for installation and maintenance of electric power facilities to service the Historic Redland Farm Life School located on County-owned property.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-968-99, approved by the Board on September 9, 1999, authorized a lease agreement of 30 years with the South Florida Pioneer Museum, Inc., for the purpose of renovating, constructing and operating an educational and/or community activity facility.

Resolution No. R-504-15, approved by the Board on June 2, 2015, established the County policy requiring the County to undertake certain measures to minimize negative aesthetic impact to the public prior to conveyance of an easement or license for the installation of utility lines and equipment on County-owned property.

Resolution No. R-974-09, approved by the Board on July 21, 2009, requires any resolution authorizing the acceptance or execution of a deed, easement, covenant, reverter or mortgage creating or reserving a real property interest in favor of the County contain language that such instrument, after proper execution, be recorded in the public records of the county within which the real property is located.

Also see Legistar File No. 171688 regarding an item approved at the Board's October 3, 2017 meeting approving an allocation of up to \$1,500,000 from Building Better Communities General Obligation Bond Program Project No. 124 to fund the Redland Farm Life Culinary Center.

PROCEDURAL HISTORY

This item is before the Government Operations Committee on first impression.

FISCAL IMPACT

The County conveyed the easement to FPL for the nominal sum of \$1. As stated in the mayoral memo, the item does not require the expenditure of County funds.

ANALYSIS

An easement is a right to cross or otherwise use someone else's land for a specified purpose. This item involves FPL agreeing to provide electric power facilities to the Historic Redland Farm School in exchange for an easement to allow access to install and maintain the electric power facilities. The easement was given by the County, as the owner of the land, to FPL for \$1 for FPL to construct, operate and maintain underground electric utility facilities,

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including cables and conduits and appurtenant above ground equipment; the easement also grants FPL the right to ingress and egress on the premises at all times.

The County-owned property is located at 24701 SW 162 Avenue in Homestead, Florida, which falls in Commission District 8. South Florida Pioneer Museum, Inc. has leased the property since 1999.

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Item No. 3C

File No. 171725

Researcher: PGE

RESOLUTION DECLARING SURPLUS COUNTY-OWNED PROPERTY LOCATED AT 1851 NW 9 AVENUE, SPECIFICALLY CERTAIN AUTOPSY ROOMS, LABORATORY ROOMS, AND AN OFFICE SPACE, LOCATED IN THE CITY OF MIAMI, AND APPROVING PURSUANT TO FLORIDA STATUTES, SECTION 125.38, TERMS OF THE LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND UMTB DONOR SERVICES FOUNDATION, A FOREIGN NOT-FOR-PROFIT CORPORATION, FOR CONDUCTING STERILE AUTOPSIES, BONE AND TISSUE HARVESTING, INVESTIGATIONS, AND RELATED PURPOSES, FOR A THREE YEAR TERM, WITH ONE THREE YEAR RENEWAL PERIOD, WITH AN ANNUAL RENT OF \$34,229.28 FOR THE FIRST YEAR, AND ADJUSTED ANNUALLY THEREAFTER BY APPROXIMATELY TWO PERCENT FOR EACH SUBSEQUENT YEAR, WITH A TOTAL GROSS REVENUE TO THE COUNTY FOR THE SIX YEAR PERIOD, INCLUDING OPERATING EXPENSES, OF \$248,321.40; AND AUTHORIZING THE COUNTY MAYOR, OR THE COUNTY MAYOR'S DESIGNEE, TO EXECUTE THE LEASE AGREEMENT, TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN, TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE FOREGOING, AND TO PROVIDE AN EXECUTED COPY OF THE LEASE AGREEMENT TO THE PROPERTY APPRAISER'S OFFICE WITHIN 30 DAYS OF ITS EXECUTION

ISSUE/REQUESTED ACTION

Whether the Board should authorize a lease agreement between the County and UMTB Donor Services Foundation (UMTB) for operation of a sterile autopsy suite and associated services, such as histopathology and tissue harvesting, for the Medical Examiner's Office for three years plus a three-year optional renewal term for a total rental revenue of \$248,321.40.

APPLICABLE LEGISLATION/POLICY

Section 125.38 of the Florida Statutes governs the sale of county property, allowing nonprofits that desire any real property that may be owned by any county or by its board for public or community interest and welfare to apply to the board for a conveyance or lease of such property; such board, if satisfied that such property is required for such use and is not needed for county purposes may thereupon convey or lease the same at private sale to the applicant for such price, whether nominal or otherwise, regardless of the actual value of the property.

Chapter 406 of the Florida Statutes governs Medical Examiners and the disposition of human remains.

Resolution No. R-333-15 requires the disclosure of market value or market rental in legislative items authorizing the conveyance or lease of County-owned property to promote public disclosure and fiscal responsibility.

Resolution No. R-380-17 requires the Administration to provide written notification to the District Commissioner wherein County-owned property lies no less than four weeks prior to (1) any issuance of a Request for Proposals or Expression of Interest regarding the sale, lease or development of such property and (2) placement of any item on an agenda of the Board or any Committee of the Board requesting the approval of the sale, lease or surplus of County-owned property.

Administrative Order (AO) No. 8-4 prescribes the County's policy relating to the sale, lease or other disposal of County-owned real property. Under the AO, if property owned by the County is desired by another public agency

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for the same public purposes as held by the County and it is determined by the Board that the property is not needed by the County for such use, it may be conveyed at a nominal cost.

PROCEDURAL HISTORY

This item is before the Government Operations Committee on first impression.

FISCAL IMPACT

The total rental revenue to the County is \$215,921.40 and is arrived at as follows:

- First year - \$34,229.28
- Second year - \$34,913.88
- Third year - \$35,612.16
- Option year 1 - \$36,323.40
- Option year 2 - \$37,050.84
- Option year 3 - \$37,791.84

The lessee is also responsible for operating expenses (e.g., utilities, cleaning and repair to the common areas) totaling \$450 per month, equating to \$32,400 for the initial lease term and option period. The total rental revenue plus the operating expenses for the initial lease term plus the option period equals \$248,321.40.

It is unclear from the mayoral memorandum who pays the referenced \$8,636.85 lease management fee.

ANALYSIS

This item proposes the lease of 2,718 square feet of space across two floors, consisting of office space and autopsy and other medical labs to UMTB, a foreign nonprofit corporation, for a total term of six years (three-year initial term plus an optional three-year term) for the Medical Examiner's Office. The property is located at 1851 NW Ninth Avenue. UMTB will use 1,268 square feet of space as its sterile autopsy suite wherein it will conduct bone and tissue harvesting. The remaining 1,450 square feet of space will be used by the lessee to deliver associated services for the Medical Examiner's Office. There is an existing contractual relationship between the Medical Examiner's Office and UMTB for the delivery of histopathology services (see Contract No. BW 9156-4/21 which expires on March 31, 2018 and is valued at \$178,000).

Under the lease agreement, both parties have the right to terminate, without cause, by giving the other party advanced written notice of at least 180 days.

The mayoral memorandum indicates that there is an affiliation between UMTB and Vivex Biomedical, Inc.; however, the nature and extent of that relationship is unclear. Also, the memorandum is silent as to the status of the current lease agreement for the delivery of these services, including the current rental rate.

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**Item No. 3E
File No. 171891**

Researcher: PGE

RESOLUTION WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; DECLARING SURPLUS A 22,100 SQUARE FOOT PARCEL OF COUNTY-OWNED REAL PROPERTY LOCATED AT 85 W. ENID DRIVE, KEY BISCAYNE, FLORIDA; AUTHORIZING THE CONVEYANCE OF SAME TO THE VILLAGE OF KEY BISCAYNE, A MUNICIPAL CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF FLORIDA, IN ACCORDANCE WITH FLORIDA STATUTES SECTION 125.38 FOR A PRICE OF \$1,400,000.00; AUTHORIZING THE CHAIRPERSON OR VICE CHAIRPERSON OF THE BOARD TO EXECUTE A COUNTY DEED FOR SUCH PURPOSE; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH SUCH CONVEYANCE AND TO ENFORCE THE PROVISIONS SET FORTH IN SAID COUNTY DEED

ISSUE/REQUESTED ACTION

Whether the Board should authorize the sale by deed of County property totaling 22,100 square feet located at 85 West Enid Drive, Key Biscayne, Florida to the Village of Key Biscayne for an appraised price of \$1,400,000 for the Village to use the property as a municipal parking garage.

APPLICABLE LEGISLATION/POLICY

Section 125.38 of the Florida Statutes governs the sale of county property, allowing municipalities that desire any real property that may be owned by any county or by its board for public or community interest and welfare to apply to the board for a conveyance or lease of such property; such board, if satisfied that such property is required for such use and is not needed for county purposes may thereupon convey or lease the same at private sale to the applicant for such price, whether nominal or otherwise, regardless of the actual value of the property.

Administrative Order (AO) No. 8-4 prescribes the County's policy relating to the sale, lease or other disposal of County-owned real property. Under the AO, if property owned by the County is desired by another public agency for the same public purposes as held by the County and it is determined by the Board that the property is not needed by the County for such use, it may be conveyed at a nominal cost.

Resolution No. R-380-17 requires the Administration to provide written notification to the District Commissioner wherein County-owned property lies no less than four weeks prior to (1) any issuance of a Request for Proposals or Expression of Interest regarding the sale, lease or development of such property and (2) placement of any item on an agenda of the Board or any Committee of the Board requesting the approval of the sale, lease or surplus of County-owned property.

Resolution No. R-333-15 requires the disclosure of market value or market rental in legislative items authorizing the conveyance or lease of County-owned property to promote public disclosure and fiscal responsibility.

Resolution No. R-974-09, approved by the Board on July 21, 2009, requires any resolution authorizing the acceptance or execution of a deed, easement, covenant, reverter or mortgage creating or reserving a real property interest in favor of the County contain language that such instrument, after proper execution, be recorded in the public records of the county within which the real property is located.

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Resolution No. R-1022-02, approved by the Board on September 24, 2002, amended the lease agreement between the County and the Village of Key Biscayne for property located at 85 West Enid Drive, Key Biscayne, Florida; the amendment authorized the demolition of the existing structure on the property to construct a new municipal parking facility. The amendment also reduced the lease term from 30 to 14 years, expiring on June 14, 2007 and provided the Village with an option to purchase the property at a purchase price to be established by appraisal.

Also see Resolution No. R-1275-93, ratifying the initial lease between the County and the Village of Key Biscayne on October 5, 1993 for a 30-year term.

PROCEDURAL HISTORY

This item is before the Government Operations Committee on first impression.

FISCAL IMPACT

The sale of the property will generate \$1,400,000 in revenue to the County.

ANALYSIS

The Village of Key Biscayne has leased this property from the County's Water and Sewer Department since 1993. In 2006, the Village notified the County of its intent to purchase the property and an appraisal was obtained by the County, valuing the property at \$2,400,000. However, the Village and the County did not agree on the sale price and thus the transaction did not transpire. The Village continues to occupy the property on a monthly basis as a holdover tenant as its lease has expired. The leased property is currently used for municipal parking purposes. An appraisal conducted on March 6, 2016 values the property at \$1,400,000 if it is unavailable for development and at \$4,350,000 if it is a developable site.

The County Deed restricts the Village's use to: (1) providing public or governmental parking; and/or (2) any other uses permitted under 125.38 of the Florida Statutes; if the Village seeks to use the property for a permitted use other than the parking use, the Village shall provide the County Mayor with written notice describing the intended permitted use of the property and must obtain written approval from the County before the property can be used for any purpose other than the parking use.

**GOC Meeting: October 10th, 2017
Research Notes**

Item No. 3G

File No. 171865

Researcher: BM

RESOLUTION APPROVING REJECTION OF ALL BIDS RECEIVED IN RESPONSE TO INVITATION TO BID NO. FB-00544 FOR THE PURCHASE OF MAILING SERVICES FOR MULTIPLE COUNTY DEPARTMENTS

ISSUE/REQUESTED ACTION

Whether the Board should approve the rejection of all bids received under Invitation to Bid No. FB-00544, Mailing Services for multiple County departments.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) and Implementing Order No. 3-38, governing the authority to award and modify contracts.

PROCEDURAL HISTORY

This item is before the Government Operations Committee on first impression.

FISCAL IMPACT

There is no fiscal impact to the County for the rejection of the bids received. However, the value of the contract would have been \$2.749 million.

ANALYSIS

This item recommends rejection of three bids received, one of which included a “No Bid.” The solicitation was advertised on April 04, 2017 to solicit proposals from interested parties for a contract to provide bulk mailing services and related services including, pick-up and delivery.

The request to reject all bids received is due to errors discovered by staff during the evaluation of the bids. The errors were found in the estimated annual quantities of three line items in the solicitation. Three bids were received in response to the solicitation, including one “No Bid.” A replacement solicitation was issued for these services and a recommendation to the Board is anticipated near the end of this calendar year.

This solicitation is to replace Contract No. 8058-0/17, Mailing Services, which was issued on October 23, 2012 for a five-year period, expiring on November 30, 2017; the awarded amount was \$6.45 million.

The new contract is for the following six user departments: Aviation, Clerk of Courts, Finance, Internal Services, Library System, and Water and Sewer; \$1.6 million of the \$2.749 million contracted is allocated to the Internal Services Department.

Input from the Internal Services Department (ISD)

Below is a summary of the questions posed by OCA and the corresponding answers from ISD.

1. The bids are being recommended for rejection due to errors in the estimated quantities in the solicitation discovered during the evaluation process; were the quantities under- or overestimated;
overestimated

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2. If applicable, please provide the updated allocation by department based on the corrected quantities; and
Aviation - \$15,000
Clerk of Courts - \$278,000
Finance - \$35,000
Internal Services - \$357,000
Library - \$10,000
Water and Sewer - \$236,000
3. What is the estimated date of delivery for the replacement solicitation to the Board. *The replacement solicitation will be awarded under the Mayor's delegated authority.*

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Research Notes**

Item No. 3H

File No. 171875

Researcher: SAP

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$285,000.00 FOR PREQUALIFICATION POOL NO. 7831-0/13 FOR PURCHASE, REPAIR AND MAINTENANCE OF FITNESS APPARATUS AND EQUIPMENT FOR COUNTY DEPARTMENTS

ISSUE/REQUESTED ACTION

Whether the Board should authorize additional expenditure authority in a total amount up to \$285,000.00 for Prequalification Pool No. 7831-0/13 for purchase, repair and maintenance of fitness apparatus and gym equipment for County departments.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) and Implementing Order No. 3-38, governing the authority to award and modify contracts.

FISCAL IMPACT

On June 20, 2011, the County awarded this prequalification pool with an initial amount of \$200,000 for a two-year term. The contract was modified under delegated authority for an additional \$335,000.00 and pursuant to Resolution No. R-349-13, it was extended for a 60-month period with an additional \$465,000 in spending authority. The current cumulative allocation is \$1,000,000.

ANALYSIS

The departments requesting additional expenditure are Aviation and Corrections and Rehabilitation. The increased spending authority will be used to purchase additional work benches and storage racks.

According to the Bid Tracking System, the allocation breakdown is as follows:

Department	Allocation Amount	Released Amount	Balance
Aviation	\$130,000.00	\$121,787.94	\$8,212.06
Corrections	\$200,000.00	\$199,991.20	\$8.80

There are five prequalified vendors listed in the item of which three are out of state with no local addresses listed.

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Research Notes**

Item No. 3K

File No. 171967

Researcher: BM

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-00454 FOR PURCHASE OF PREVENTIVE MAINTENANCE SERVICES, PARTS, REPAIRS, AND DETERGENTS FOR VEHICLE WASH AND WATER RECLAMATION SYSTEMS FOR VARIOUS COUNTY DEPARTMENTS IN A TOTAL AMOUNT NOT TO EXCEED \$1,715,000.00 FOR THE FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDER TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should approve Contract No FB-00454 for purchase of preventive maintenance services, parts, repairs and detergents for vehicle wash and water reclamation systems for various departments with a fiscal impact of up to \$1,715,000 for the five-year term.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) and Implementing Order No. 3-38, governing the authority to award and modify contracts.

FISCAL IMPACT

The current contract expired on July 31, 2017 and is valued at \$898,000 for three years and six months. The proposed contract is valued at \$1,715,000 for the five-year term. The increase in allocation amount is due to an immediate need for repairs at several facilities.

ANALYSIS

This item recommends approval of a contract award for Vehicle Wash Detergents and Wash Facilities, Repairs, and Maintenance Services, for multiple County departments for a five-year term valued at \$1,715,000. This item was protested and thus pulled. On June 23, 2017, a memorandum was sent to the Board regarding a protest that was filed by a bidder regarding the validity of the credentials to provide the goods and services as specified in the solicitation submitted by another vendor, Pancar Industrial Supply Corporation. County staff reviewed the protest and agreed with the allegations. Nine bids were received including three "No Bids." The increase in the replacement contract is due to the immediate repair needs at the three facilities managed by the Transportation and Public Works Department and one vehicle facility managed by Solid Waste Management.

The services are used by three departments: Aviation, Solid Waste Management, and Transportation and Public Works. Solid Waste and Transportation and Public Works are allocated \$780,000 and \$850,000 of the \$1,715,000, respectively.

Input from the Internal Services Department (ISD)

Below is a summary of the questions posed by OCA and the corresponding answers from ISD.

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1. The recommendation to approve the contract award was pulled after a protest on an award to a vendor, Pancar Industrial, for allegedly not possessing the appropriate credentials to provide the goods and services as specified in the solicitation; Pancar Industrial is listed in the latest recommendation; have the issues with the credentials been corrected; and
This solicitation contained multiple groups. Pancar Industrial Supply Corporation did not possess the requisite credentials to be awarded under Groups 3, 4, and 5. The award to the vendor for these groups was therefore rescinded. The vendor did, however, possess the requisite credentials to be awarded under Group 1, which is why the vendor is still being recommended for award of that group only.
2. The latest contract expired on July 31, 2017; has there been an extension of service to the current contract pending approval of the award recommendation. *The current contract has not been extended, however, staff is working on establishing a bridge contract to ensure continuity of services until this item is considered by the Board.*

**GOC Meeting: October 10th, 2017
Research Notes**

**Item No. 3L
File No. 172042**

Researcher: BM

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE THE REMAINING ONE-YEAR OPTION TO RENEW PERIOD FOR CONTRACT NO. FB-00220-1(2) FOR THE PURCHASE OF LIQUID WASTE HANDLING SERVICES FOR VARIOUS COUNTY DEPARTMENTS IN AN AMOUNT NOT TO EXCEED \$604,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should authorize the County Mayor or his designee to exercise the remaining one-year option to renew period for Contract No. FB-00220-1(2), Liquid Waste Handling Services, for multiple County departments.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) and Implementing Order No. 3-38, governing the authority to award and modify contracts.

FISCAL IMPACT

If this request is approved, the contract will have a modified cumulative value of \$1,604,000.

ANALYSIS

This item recommends exercising the second option to renew on Contract No. FB-00220-1(2) until November 30, 2018. Market Research prior to the expiration showed that the current vendor, Carlos Rivero Plumbing & Septic Tank Contractor, Inc., offers competitive pricing and the knowledge and capacity to handle the needs of the County. The increase in allocation is mainly due to expansion to the airport. The main departments that use these services are Aviation and Parks, Recreation and Open Spaces, having \$880,000 and \$435,000, respectively in their modified cumulative allocations. These amounts are based on the projected departmental needs for the renewal term. The contract was awarded in September 2015 for a one-year term with two, one-year options to renew.

**GOC Meeting: October 10th, 2017
Research Notes**

Item No. 3M

File No. 172045

Researcher: SM

RESOLUTION AUTHORIZING ADDITIONAL TIME OF FIVE YEARS AND EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$91,744,000.00 FOR PREQUALIFICATION POOL NO. 9562-5/22 FOR JANITORIAL SERVICES FOR VARIOUS COUNTY DEPARTMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

ISSUE/REQUESTED ACTION

Whether the Board should authorize additional time of five years and expenditure authority in a total amount of up to \$91,744,000.00.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) and Implementing Order No. 3-38, governing the authority to award and modify contracts.

PROCEDURAL HISTORY

This item is before the Government Operations Committee on first impression.

FISCAL IMPACT

The advertised amount was \$89,000,000. There was an allocation of \$92,000,000 that was awarded during the initial term. Under delegated authority, there has been two modifications totaling \$792,000 that were approved for janitorial services at additional sites. The current amount is \$92,792,000. If this request is approved, the pool will have a cumulative value of \$184,536,000 and will expire on November 30, 2022.

ANALYSIS

County departments use this pool to provide a wide array of janitorial services. The departments requesting the largest allocations are Internal Services, Library System, and Transportation and Public Works. Responsive, and responsible vendors that meet the minimum qualifications by group, shall be considered pre-qualified to participate in future competitions for that group. Vendors must provide a current business tax receipt (formerly Occupational License) to conduct business in Miami-Dade County. The following are the different groups that are available which have different minimum qualifications:

GROUP 1 – Buildings less than 25,000 square feet of cleaning area and five (5) stories or less.

GROUP 2 – Buildings 25,001 to 75,000 square feet of cleaning area and five (5) stories or less.

GROUP 3 – Buildings 75,001 square feet of cleaning area or greater or building is greater than five (5) stories (High-Rise).

In addition to this contract the County has approved an award of legacy contract BW9562-1/24, Janitorial Services for various County departments, a performance based contract, to Florida Association of Rehabilitation Facilities, Inc. (Respect of FL). The advertised value was \$25,000,000. The fiscal impact for the five-year term is \$22,847,000.

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Research Notes

If the one, five-year option to renew is exercised, the contract's cumulative value will be \$45,694,000. The current contract, BW7934-1/12, is valued at \$13,204,147, for two years and six months. The proportional reduction in allocation under the replacement contract is attributed to the removal of bus cleaning services.

Department	Allocation	Funding Source
Internal Services	\$13,736,000	Internal Services Funds
Police	\$9,111,000	General Fund
Total	\$22,847,000	

**GOC Meeting: October 10th, 2017
Research Notes**

Item No. 3N

File No. 172065

Researcher: SM

RESOLUTION AUTHORIZING A 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 ONE YEAR OF ADDITIONAL TIME FOR CONTRACT NO. RFP707 FOR THE PURCHASE OF A THIRD PARTY ADMINISTRATOR FOR FLEXIBLE SPENDING ACCOUNTS IN AN AMOUNT NOT TO EXCEED \$86,000.00 FOR THE HUMAN RESOURCES DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should authorize a designated purchase under Contract No. RFP707, Third Party Administrator for Flexible Spending Account.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) and Implementing Order No. 3-38 governing the authority to award and modify contracts. Section 2-8.1(b) (3) of the County Code, which provides for a designated purchase due to impracticability of competition.

PROCEDURAL HISTORY

This item is before the government operations committee on first impression.

FISCAL IMPACT

The contract has an existing cumulative allocation of \$525,000 for seven plan years. The additional allocation requested is based on current and anticipated enrollment.

Department	Existing Cumulative Allocation	Additional Allocation Requested	Modified Allocation	Funding Source
Human Resources	\$525,000	\$86,000	\$611,000	Employee Contribution
Total	\$525,000	\$86,000	\$611,000	

ANALYSIS

This designated purchase will extend the contract term to December 31, 2018 and increase the cumulative contract value to \$611,000. Miami Dade County is contracting for administrator services for the County's Flexible Spending Accounts (FSA) Plan - Health Care and Dependent Care. The Contractor shall be licensed by the State of Florida, Office of Insurance Regulation to perform Third Party Administrator Services, throughout the contract period, including any renewal and extension options exercised by the County. The contractor will provide a detailed implementation plan and timetable, to include deadlines, deliverables, and responsible staff for each task to be provided to the County for approval. The contractor shall provide written notification and justification to the County within 90 days of the contract expiration date for any proposed increase in the administration fees. The Contractor has certain performance standards that must be met or exceeded; these performance guarantees shall be measured on an annual basis.

**GOC Meeting: October 10th, 2017
Research Notes**

Item No. 3S

File No. 172181

Researcher: SM

RESOLUTION RATIFYING THE ACTION BY THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE WITH RESPECT TO THE ADDITION OF VENDORS TO OPEN POOL CONTRACTS DURING THE PERIOD OF JANUARY 1, 2017 THROUGH JUNE 30, 2017

ISSUE/REQUESTED ACTION

Whether the Board should ratify the actions of the County Mayor or his designee in the addition of vendors to various active open pools.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-395-12 requires that a report of vendors added to open pools be provided to the Board for bi-annual ratification.

PROCEDURAL HISTORY

This item is before the Government Operations Committee on first impression.

FISCAL IMPACT

No fiscal impact associated with this item.

ANALYSIS

Open pre-qualification pools are established in order to allow qualified vendors to participate in spot market competition for specified goods and services. Pools provide ongoing opportunities to vendors interested in participating in the County's competitive business process. It is also an efficient and cost effective means of contracting that reduces administrative work for staff and vendors wishing to participate in County contracts. Prequalification pools can provide enhanced competition and improved pricing for the County. Pursuant to recent discussion at Board of County Commissioners meetings, the Internal Services Department will be leading an aggressive outreach campaign to encourage additional participation by local businesses in the County's pools. This item shows the addition of 95 vendors for the time period, January 1, 2017 to June 30, 2017.

**GOC Meeting: October 10th, 2017
Research Notes**

Item No. 3U

File No. 172184

Researcher: SM

RESOLUTION AUTHORIZING LEGACY CONTRACT NO. L9837-3/23, DELTA CONTROLS BMS MAINTENANCE SERVICES, FOR THE INTERNAL SERVICES DEPARTMENT; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE THE THREE, TWO-YEAR OPTION TO RENEW TERMS FOR LEGACY CONTRACT NO. L9837-3/23, DELTA CONTROLS BMS MAINTENANCE SERVICES, FOR THE INTERNAL SERVICES DEPARTMENT, IN A TOTAL AMOUNT NOT TO EXCEED \$525,000.00; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should authorize Legacy Contract No. L9837-3/23. Authorizing the County Mayor or the County Mayor's designee to exercise the three, two-year option to renew terms for legacy contract no. L9837-3/23

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) and Implementing Order No. 3-38 governing the authority to award and modify contracts.

Also see Section 2-8.1(b)(2) of the County Code, prescribing the criteria for award of legacy contracts.

PROCEDURAL HISTORY

This item is before the Government Operations Committee on first impression.

FISCAL IMPACT

The contract, which is in its initial term, expires on December 31, 2017. If all option to renew terms are exercised, the contract's estimated cumulative value will be \$722,000 and the expiration date will be December 31, 2023.

ANALYSIS

This is an all-inclusive maintenance contract for the Delta Controls Building Management Systems located in the West Lot Building and Hialeah Courthouse. The equipment covered under this contract controls a variety of tasks, such as managing controls for air handling units, lighting, chilled water and smoke evacuation systems used for life safety during a fire alarm. The awarded vendor provides all parts, labor, repairs, preventative maintenance, database protection, continuing education, software updates, and emergency support services for all equipment located at the two facilities. The alternative to this legacy contract would be the replacement of the Building Management System which is estimated to cost between \$650,000 and \$1,000,000. If a new system was installed, ongoing maintenance and support would again be required, which would create another legacy contract.