



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

Government Operations Committee (GOC) Meeting

December 12, 2017
1:30 P.M.
Commission Chambers

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**GOC Meeting: December 12, 2017
Research Notes**

**Item No. 1G2
File No. 172595**

Researcher: BM Reviewer: PGE

ORDINANCE RELATING TO CONTRACTS FOR THE CONSTRUCTION OF COUNTY-OWNED GOVERNMENT BUILDINGS AND PRIVATELY FUNDED CONSTRUCTION PROJECTS ON COUNTY-OWNED LAND; CREATING SECTION 2-11.16.1 THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING THE DEPOSIT OF ONE PERCENT OF THE CONSTRUCTION COSTS FROM SUCH CONTRACTS OR PROJECTS INTO THE MIAMI-DADE AFFORDABLE HOUSING TRUST FUND; REQUIRING INCORPORATION OF CODE PROVISIONS IN COUNTY CONSTRUCTION CONTRACTS AND LEASES; PROVIDING FOR WAIVER; CREATING EXEMPTIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should approve an ordinance creating section 2-11.16.1 to the County Code requiring the deposit of one percent of the construction costs from construction contracts or projects on County-owned government building and privately funded construction projects on County-owned land into the Miami-Dade Affordable Housing Trust Fund.

APPLICABLE LEGISLATION/POLICY

Section 2-11.16 of the County Code, County Construction Contracts, relates to specifications for construction contracts entered into by the County.

The link below relates to Section 2-11.16 of the County Code, County Construction Contracts

[https://library.municode.com/fl/miami - dade county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-11.16COCOCO](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-11.16COCOCO)

Article VIII, Section 17-129 of the County Code, Affordable Housing Trust Fund of Miami-Dade County, was intended to (1) establish a permanent, renewable source of revenue to meet, in part, the housing needs of the residents of Miami-Dade County; (2) to foster a housing supply accessible to a range of incomes in developments assisted by the Trust Fund; and (3) to disperse affordable housing units throughout the County.

Below is a link relating to Article VIII, Section 17-129 of the County Code:

[https://library.municode.com/fl/miami - dade county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH17HO_ARTVIII AFHOTRFUMIDECOFL](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=CD_MIAMI-DADE_CO_FLORIDA_CH17HO_ARTVIII AFHOTRFUMIDECOFL)

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Barbara J. Jordan, District 1

This item has no procedural history.

FISCAL IMPACT

If this ordinance is approved by the Board, this item will not have a fiscal impact to the County because there are no planned projects for which this fee would apply. Furthermore, there currently exist no leases or contracts with private entities to which construction costs associated with privately funded projects on County-owned land are eligible.

ANALYSIS

The proposed ordinance creates section 2-11.16.1 to the County Code requiring the deposit of one percent of the construction costs from construction contracts or projects, on County-owned government building and privately funded construction projects on County-owned land, into the Miami-Dade Affordable Housing Trust Fund.

GOC Meeting: December 12, 2017
Research Notes

The Affordable Housing Trust Fund of Miami-Dade County was established by the Board on February 6, 2007 to (1) establish a permanent, renewable source of revenue to meet, in part, the housing needs of the residents of Miami-Dade County; (2) foster a housing supply accessible to a range of incomes in developments assisted by the Trust Fund; and (3) disperse affordable housing units throughout the County. The Trust consists of up to 13 Trustees who have knowledge of and demonstrable service to the affordable housing community.

The monies deposited in the fund are to be used to:

- construct, acquire, rehabilitate or subsidize affordable housing;
- to assist other governmental entities, private organizations or individuals in the construction, acquisition, rehabilitation, reimbursement of County advanced funds, location or subsidy of affordable housing;
- shall, whenever feasible, be disbursed in a manner to assure that the housing supply created with these monies is accessible to a range of families whose incomes do not exceed.

The U.S. Department of Housing and Urban Development's published standards for moderate income households, adjusted for family size.

Below is a summary of the proposed ordinance creating Section 2-11.16.1 of the County Code:

Section:	Proposed amendment:
<p><i>Sec. 2-11.16.1 Construction Contract Fee for Affordable Housing</i></p>	<p>(a) The County shall provide and deposit not less than one percent of the construction costs associated with the construction of new County governmental buildings or facilities into the Miami-Dade Affordable Housing Trust Fund codified at Sections 17-129 et seq. of the Code, provided that no funds may be appropriated for this purpose from the ad valorem tax operations fund. Additionally, the County shall provide and deposit not less than one percent of the construction costs associated with all leases and contracts for privately funded construction on County-owned land. Notwithstanding the foregoing, this section shall not apply to publicly or privately funded construction of or on any County-owned building, facilities or property where the total value of the construction is \$200,000.00 or less. For purposes of this section, the term "construction cost" shall mean architectural and engineering fees, site work, and contingency allowances. It does not include land acquisition or subsequent changes to the construction contract. All construction costs shall be calculated as of the date the contract is executed.</p> <p>(b) Incorporation into construction contracts. Except as provided in subsection (d) below, the County Mayor or County Mayor's designee is authorized and directed to include the provisions set forth in subsection (a), in each construction contract. Additionally, all leases and contracts for privately funded construction on County-owned land shall contain specific provisions to implement the intent of subsection (a).</p> <p>(c) Waiver of requirements. The requirements of subsection (a) may be waived by resolution of the Board of County Commissioners when and if it appears to the Board that a construction project covered hereunder is not appropriate for application of the above requirements.</p> <p>(d) Exemptions. This section of the code shall not apply to those construction contracts that relate to:</p> <p>(1) The development of affordable housing through the County's Infill Housing Initiative Program;</p>

GOC Meeting: December 12, 2017
Research Notes

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| | (2) The development of affordable housing in accordance with section 125.379, Florida Statutes;
(3) The development of affordable housing in accordance with a public housing mixed-finance development concept;
(4) Any affordable housing development funded through the County's affordable housing funding programs, such as Documentary Stamps Surtax, State Housing Initiatives Partnership, HOME Investment Partnerships, Community Development Block Grant, General Obligation Bond programs, or other similar affordable housing programs; or
(5) Any construction contract that is restricted by federal or state laws, grants or agreements, for the purposes prescribed herein. |
|--|--|

The creation of Section 2-11.16.1 to the County Code provides for the deposit of one percent of the construction costs from construction contracts or projects, on County-owned government building and privately funded construction projects on County-owned land, into the Miami-Dade Affordable Housing Trust Fund.

ADDITIONAL INFORMATION

Below is a link to the Affordable Housing Advisory Board website:

<http://www.miamidade.gov/housing/affordable-housing-advisory-board.asp>

Below is an article posted by the Miami Herald regarding the recommended support of the Affordable Housing Trust Fund:

<http://www.miamiherald.com/opinion/op-ed/article100539097.html>

**GOC Meeting: December 12, 2017
Research Notes**

**Item No. 2B
File No. 171854**

Researcher: BM Reviewer: PGE

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

ISSUE/REQUESTED ACTION

Whether the Board should amend Sections 24-44 and 8CC-10 of the Code in the following ways: (1) require the posting of notice of contamination on property where any person resides or a vacant property; (2) require certain information be included in the posted notice; (3) requiring laboratory results and other information be provided to the County; and (4) provide enforcement by civil penalty for parties responsible for site rehabilitation.

APPLICABLE LEGISLATION/POLICY

Section 22-44 of the County Code Clean-Up Target Levels (CTLs and Procedures for Site Rehabilitation Actions). The intent is to protect human health, public safety and environmental resources using risk-based corrective action strategies and to establish the point at which a site rehabilitation action is determined to be accomplished.

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

[CH24ENPRBIBAENDEAQPACOBIBAENENTRFUENENLAPR_ARTIIWASOQU_DIV3COSICL_S24-44.ISRCOTE](#)

Section 8CC-10 of the County Code Schedule of civil penalties provides guidance for applicable code sections depending on the subject matter that may carry civil penalties. The proposed ordinance would amend this section of the Code to establish civil penalties for failure: (1) post a notice, (2) provide laboratory results, and (3) other violations of the new provisions regarding site rehabilitation.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH8CCCOEN_S8CC-10SCCIPE

PROCEDURAL HISTORY

Prime Sponsor: Audrey M. Edmonson, District 3

This item was adopted by on first reading on 7/18/2017. Municipalities were notified of public hearing on 7/27/17.

This item was deferred at the 10/10/17 meeting until 11/14/17.

This item was deferred at the 11/14/17 meeting until 12/12/17.

FISCAL IMPACT

Implementation of this ordinance is not anticipated to create a fiscal impact to Miami-Dade County, as it will not result in additional staffing needs. The cost of non-compliance will be borne by the party responsible for the site rehabilitation.

ANALYSIS

This item is requesting the Board to authorize an amendment to sections 24-44 and 8CC-10 of the County Code to: (1) require the posting of notice of contamination on property where any person resides or a vacant property; (2)

GOC Meeting: December 12, 2017
Research Notes

require certain information be included in the posted notice; (3) requiring laboratory results and other information be provided to the County; and (4) provide enforcement by civil penalty.

The substitute version differs from the original in that it: (1) includes the terms “vacant properties” and “surrounding areas” to the proposed ordinance; and (2) requires that laboratory results, notice, and a site sketch of the location of the notice be forwarded to the County.

Currently, there are no requirements for responsible parties of site rehabilitation to post a notice on the subject site and to notify the County. Implementing the proposed ordinance will increase residents’ awareness of the contaminations, its location, and possibly prevent potential for contamination exposure.

The proposed ordinance recommends that the posted notice be clearly visible, easily readable, immediately apparent upon viewing. It must be at least 8.5 inches by 11 inches and use at least 12-font size. It shall indicate the contaminants in excess of CTLs are present.

The proposed ordinance provides a schedule of civil penalties summarized in the table below:

<u>Code Section</u>	<u>Description of Violation</u>	<u>Civil Penalty</u>
	* * *	
>>24-44(2)(j)(v)	Failure to post notice of contaminated site	500.00
	Failure to provide Department with laboratory results	500.00
	Other violations of subsection 24-44(2)(j)(v)	500.00<<

ADDITIONAL INFORMATION

Below is a link to site location for an inventory of contaminated sites website in Broward County:

<http://www.broward.org/Environment/CONTAMINATEDSITES/Pages/SiteLocations.aspx>

Below is a link to an interactive map for Broward County regarding contaminated sites:

<http://bcgis.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=5d9ec5c1eb614c8b88d8990f48b15b7a>

Broward County has the following information regarding civil penalties: violations that do not cause substantial pollution or degradation of the environment and/or are not substantial violations of this chapter may alternatively be enforced by the issuance of citations subject to the schedule of civil penalties for citations. The maximum civil penalty which may be levied pursuant to the issuance of a citation shall not exceed five hundred dollars (\$500.00) per violation.

**GOC Meeting: December 12, 2017
Research Notes**

**Item No. 2C
File No. 172721**

Researcher: BM Reviewer: PGE

RESOLUTION DECLARING SURPLUS TWO COUNTY-OWNED REAL PROPERTIES LOCATED ADJACENT TO NW 22ND AVENUE AND SOUTH OF NW 143RD STREET IN OPA-LOCKA, FLORIDA (FOLIO NOS. 08-2122-005-1380 AND 08-2122-005-1390); AUTHORIZING THE LEASE OF THE PROPERTIES FOR USE AS A NON-COMMERCIAL PARKING LOT TO THE HIGHEST AND BEST BIDDER IN ACCORDANCE WITH SECTION 125.35(1)(A), FLORIDA STATUTES, FOR A TERM NOT TO EXCEED 30 YEARS AND FOR NO LESS THAN \$1,700.00 ANNUALLY; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A LEASE AGREEMENT AND TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE LEASING OF SUCH PROPERTIES; AND WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD

ISSUE/REQUESTED ACTION

Whether the Board should:

- Declare two County-owned real properties as surplus (located adjacent to NW 22nd Avenue and South of NW 143rd Street, Opa-locka, Florida; Folio Nos. 08-2122-005-1380 and 08-2122-005-1390);
- Authorize the lease of properties for use as a non-commercial parking lot to the highest/best bidder pursuant to Section 125.35(1)(a), Florida Statutes, not to exceed 30 years for no less than \$1,700 annually;
- Authorize the County Mayor or County Mayor's designee to execute a Lease Agreement and take all actions necessary to effectuate the leasing of such properties; and
- Waive Administrative Order No. 8-4 as it relates to the review by the Planning Advisory Board.

APPLICABLE LEGISLATION/POLICY

Pursuant to Administrative Order No. 8-4, County-owned properties that are deemed to be suitable for development, and which are no longer needed for County or municipal purposes, must be declared surplus by the Board before they can be offered to qualified developers.

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

Resolution No. R-791-14, Directs the Mayor or designee to provide Miami-Dade County Property Appraiser with a copy of all leases and operating agreements involving County-owned property.

This resolution was adopted by the Board on September 3, 2014.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2014/R-791-14.pdf>

Resolution No. R-974-09, Directs the Mayor or designee to provide the Property Appraiser's Office, a copy of the Ground Lease within 30 days of its execution.

This resolution was adopted by the Board on July 21, 2009.

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

Section 125.5(1)(a), Florida Statutes, County authorized to sell real and personal property and to lease real property, the Board is authorized to a sell, or lease real proper, belonging to the County, whenever the board determines that it is to the best interest of the county to do so, to the highest and best bidder for the particular use the board deems to be the highest and best, for such length of term and such conditions as the governing body may in its discretion determine.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0125/Sections/0125.35.html

GOC Meeting: December 12, 2017
Research Notes

PROCEDURAL HISTORY

Prime Sponsor: Barbara J. Jordan, District 1

This item has no procedural history.

FISCAL IMPACT

If the proposed resolution is approved by the Board, the Lease Agreement would provide the county with \$1,700 annually for the 30 year term.

ANALYSIS

If approved by the Board, the proposed resolution declares two County-owned properties as surplus, authorizes the lease of properties for use as a non-commercial parking lot to the highest/best bidder, authorizes the County Mayor or County Mayor's designee to execute a Lease Agreement, and waive Administrative Order 8-4, requiring review by the Planning Advisory Board.

The two proposed surplus properties (located adjacent to NW 22nd Avenue and South of NW 143rd Street, Opa-locka, Florida; Folio Nos. 08-2122-005-1380 and 08-2122-005-1390) are located in District 1, represented by Commissioner Barbara J. Jordan.

The Lease Agreement is to be awarded through competitive bid the highest and best bidder for a term no to exceed 30 years for use as a non-commercial parking lot.

ADDITIONAL INFORMATION

Below is a link relating to the proposed surplus properties (located adjacent to NW 22nd Avenue and South of NW 143rd Street, Opa-locka, Florida; Folio Nos. 08-2122-005-1380 and 08-2122-005-1390):

[NW 22nd Avenue and South of NW 143rd Street](#)

**GOC Meeting: December 12, 2017
Research Notes**

**Item No. 2D
File No. 172382**

Researcher: SM Reviewer: PGE

RESOLUTION AMENDING IMPLEMENTING ORDER 4-82 RELATING TO SCHEDULE OF FEES FOR COUNTY PARKING FACILITIES

ISSUE/REQUESTED ACTION

Whether the Board should amend Implementing Order (IO) 4-82 relating to the Schedule of Fees for County Parking Facilities.

APPLICABLE LEGISLATION/POLICY

IO 4-82 – Governs the Schedule of Fees for County Parking Facilities

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO4-82.pdf>

<https://library.municode.com/fl/miami> -

[dade_county/codes/code_of_ordinances?nodeId=PTICOAMCH_ART5ADORPR_S5.02ADPR](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTICOAMCH_ART5ADORPR_S5.02ADPR)

Section 5.02- Miami-Dade County Home Rule Amendment of Charter; and Chapters 125.01, Florida Statutes

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

Florida Statutes Section 286.0114 provides that members of the public shall be given a reasonable opportunity to be heard on a proposition before a board or commission.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0286/Sections/0286.0114.html

PROCEDURAL HISTORY

Prime Sponsor: Senator Javier D. Souto, District 10

IO-4-82 was ordered September 17, 2014 and effective October 1, 2014

During the Government Operations Committee meeting on November 14, 2017, Commissioner Martinez from District 11 asked: how the parking attendant would know if the person that parks is attending a BCC meeting or Committee meeting and does the waiver apply for lobbyist or staff. The ISD Director Tara Smith spoke about a validation process, including stickers and tickets etc., and said that the parking attendant would have to give a sticker/ticket to all whom are attending a meeting. Commissioner Martinez also asked about the cost to which Tara Smith responded that the estimated economic impact to Miami-Dade County would be an annual \$22,000 not including the cost of the validation machine or additional staff.

FISCAL IMPACT

The following fees are for Miami-Dade County Cultural Center Garage, West Lot Garage, Garage #5, 140 West Flagler Garage, and Overtown Transit Village Garage which would not charge people attending BCC/Committee meetings for the first two hours:

Fees	Current	Proposed rates
Current rates per half hour or portion thereof	\$3.00	First two hours of parking will be free of charge for County residents attending BCC meetings or a committee of the Board

GOC Meeting: December 12, 2017
Research Notes

Current fee for >2.5 hours or all day	\$14.00	
Lost ticket rate	\$14.00	
Juror parking	\$0	
Disabled parking	\$0	

ANALYSIS

This amendment of IO 4-82 relates to the schedule of fees for the various County parking facilities. If a County resident wishes to be heard in front of the Board, he/she would need to drive downtown and park in one of the various facilities the County offers. Therefore it would be prudent to convey to the public that the first two hours of parking within the respective County parking facilities would be free of charge. Miami-Dade County's Citizens' Bill of Rights provides any interested person with the right to appear before the Board for the presentation, adjustment or determination of an issue, request or controversy within the Board's jurisdiction.

This amendment would provide that any County resident that wishes to park in the County-owned Hickman garage, West lot garage or Cultural Center garage to attend a meeting of the BCC or one of its committees will not be charged any fee to park for the first two hours.

ADDITIONAL RESEARCH: BROWARD COUNTY

The following fees are established for *parking* in or on the following Broward County owned or operated *parking* facilities:

Broward County Governmental Center Garage, per hour or portion thereof, up to a maximum of \$12.00 per entry. There shall be no charge for any portion of the first hour which is less than ten minutes:

- First Hour - \$2.00
- Per Hour Thereafter - \$1.00
- Monthly *Parking* Pass, per month - \$150.00

Persons operating vehicles that display a Florida Toll Exempt permit, or vehicles with specialized equipment, such as ramps, lifts, or foot and hand controls, for use by a person who has a disability, will be provided with free *parking*, subject to Facilities Management Division verification process.

https://library.municode.com/fl/broward_county/codes/administrative_code?nodeId=CH38FEOTCHPUWO_PTIFAMA_38.1PAFE

**GOC Meeting: December 12, 2017
Research Notes**

**Item No. 3B
File No. 172460**

Researcher: BM Reviewer: PGE

RESOLUTION WAIVING FORMAL BID PROCEDURES PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1(B)(1) OF THE CODE OF MIAMI-DADE COUNTY AND AUTHORIZING AWARD OF ADDITIONAL TIME OF FIVE YEARS AND ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$1,000,000.00 FOR CONTRACT NO. RFI25 FOR THE PURCHASE OF AN EXECUTIVE AND MID-MANAGEMENT DEVELOPMENT PROGRAM FOR THE HUMAN RESOURCES DEPARTMENT; BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; 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 approve a resolution waiving competitive bidding procedures for good and services, pursuant to Section 2-8.1 of the County Code, and approve a modification to Contract No. RFI25, Executive and Mid-Management Development Program contract, by five years and increase expenditure authority by \$1,000,000 in order to ensure continuity of services for a comprehensive development program for the Human Resources Department for County executives and mid-level managers.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code, Contracts and purchases generally, relates to the bid requirement for certain purchases. Per the County Code, the Board of County Commissioners, upon written recommendation of the Mayor or Mayor's designee, may, by resolution adopted by two-thirds vote of the members present, waive competitive bidding when it finds this is to be in the best interest of the County.

Below is a link relating to Section 2-8.1 of the County Code:

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

Implementing Order 3-38, Master Procurement Implementing Order, establishes the roles and responsibilities of the Internal Services Department (ISD), methods of purchasing goods and services, and the authority to award contracts. Additional policies and procedures relating to the County's procurement processes are detailed in the ISD Procurement Guidelines, other A.O.s and the County Code.

Below is a link relating to Implementing Order 3-38:

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

Section 5.03(D) Home Rule Charter, Financial Administration, relates to contracts for public improvements and purchases of supplies, materials, and services other than professional shall be made whenever practicable on the basis of specifications and competitive bids.

The link below relates to Section 5.03(D) Home Rule Charter:

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

Ordinance No. 05-136, referred to as the Governing for Results Ordinance, was passed by the Board of County Commissioners (BCC) in July 2005. The ordinance outlines the County's 5-year strategic plan for improving revenues, constituent services and reducing operating costs.

This ordinance is not available on the internet.

GOC Meeting: December 12, 2017
Research Notes

Resolution No. R-69-07, directed the administration to explore contracting opportunities with local universities. This resolution was adopted by the Board on January 25, 2007.

The link below relates to Resolution No. R-69-07:

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2007/R-69-07.pdf>

Resolution No. R-684-07, approved a five-year contract with a one-year option to renew period for with University of Miami, Florida International University, Miami Dade College, and Barry University. This resolution was adopted by the Board on June 5, 2007.

The link below relates to Resolution No. R-684-07:

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2007/R-684-07.pdf>

Resolution No. R-391-17, relates to expansion of services under existing contracts with written justification of why competitive process is not feasible. This resolution was adopted by the Board on April 4, 2017.

The link below relates to Resolution No. R-391-17:

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2017/R-391-17.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

This item has no procedural history.

FISCAL IMPACT

If the proposed resolution is approved by the Board, the cumulative contract value for Contract No. RF125 will be \$9,250,000 and will expire on December 17, 2022.

The contract currently has an existing cumulative allocation of \$8,250,000 and expires on December 17, 2017. The requested allocation is based on anticipated development program needs.

The \$1,000,000 allocation request for the extension period is based on the anticipated development program needs.

ANALYSIS

If approved by the Board, the proposed resolution waives the competitive bidding procedures, for goods and services pursuant to Section 2-8.1 of the County Code, and approve a modification to Contract No. RF125, Executive and Mid-Management Development Program contract by five years and increases expenditure authority by \$1,000,000 in order to ensure continuity of services for a comprehensive development program for County executives and mid-level managers.

Contract No. RF125 was approved by the Board on June 5, 2007, pursuant to Resolution No. R-684-07 for five years, with five, one-year option to renew periods. The contract currently expires on December 17, 2017.

The objective of the Executive and Mid-Management Development Program are to: (1) promote a broad-based understanding of the County's strategic direction and management philosophy; (2) Develop key leadership skills, and management competencies; and (3) Bolster employee morale, aid in recruitment & retention, and develop succession planning strategies.

The proposed resolution recommends waiving the competitive bidding procedures established in order to ensure continuity of service of the comprehensive development program for the Human Resources Department. Considering that it may be in the best interest of the County to authorize the non-competitive extension to avoid discontinuation of

GOC Meeting: December 12, 2017
Research Notes

service and provide the development courses to County executives and mid-level managers as the specialized nature of and objective would not allow for feasible competition.

**GOC Meeting: December 12, 2017
Research Notes**

**Item No. 3D
File No. 172537**

Researcher: BM Reviewer: PGE

RESOLUTION AUTHORIZING APPROVAL OF A LEGACY CONTRACT FOR THE MAINTENANCE AND SUPPORT OF THE COMPUTERIZED COURT CASE MANAGEMENT SYSTEM FOR THE MIAMI-DADE CLERK OF COURTS, CONTRACT NO. L2002-129-1169, TO TYLER TECHNOLOGIES, INC. FOR AN INITIAL FIVE-YEAR TERM PLUS TWO, FIVE-YEAR OPTION TO RENEW TERMS IN A TOTAL AMOUNT NOT TO EXCEED \$5,193,000.00 AND APPROVING TERMS OF AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE CONTRACT AND 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 approve a legacy contract award to Tyler Technologies, Inc. for maintenance and support of the Odyssey Courts Case Management System (System) for an initial five-year term, and two, five-year options to renew for a cumulative value up to \$5,193,000, should the options to renew be exercised, for the Miami-Dade Clerk of Courts.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1(b)(2) of the County Code governs legacy purchases; such purchases shall mean the purchase of goods and services where competition is unavailable, impractical or constrained as a result of the need to continue to operate an existing County system which may not be replaced without substantial expenditure. Unlike other noncompetitive purchases which require a two-thirds vote of the Board members present, a legacy purchase may be awarded by the Board upon a majority vote of the members present.

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

Implementing Order No. 3-38 sets forth processes and procedures relating to the purchase of goods and services, including professional services.

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

Resolution No. R-1025-05, approved by the Board, approve the purchase of the system through a competitively established contract. This resolution is not available online.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

This item has no procedural history.

FISCAL IMPACT

If the proposed resolution is approved by the Board, the five-year term is valued at \$1,731,000. Should the two, five-year option to renew term period be exercised the cumulative contract value would be \$5,193,000. The current contract expires on February 28, 2018, and is currently valued at \$12,323,414 per the Bid Tracking System. The proposed allocation is lower than previous contracts as this contract is solely for maintenance and support services.

GOC Meeting: December 12, 2017
Research Notes

ANALYSIS

If approved by the Board, the proposed resolution approves a legacy contract award to Tyler Technologies, Inc. for maintenance and support of the System for an initial five-year terms, and two, five-year options to renew for a cumulative value up to \$5,193,000, should the options to renew be exercised, for the Miami-Dade Clerk of Courts.

The resolution proposes a legacy contract since Tyler Technologies, Inc. is the proprietary owner and sole provider of maintenance of the current system. Therefore, no other vendor is capable of proving the required maintenance and support services. It may be in the County's interest approve the request for the Legacy Contract as it may not be feasible to replace the system at this time. Market research estimates that the replacement cost for the system would exceed approximately \$5 million, but also the training and additional resources to customize and implement a new system.

Tyler Technologies, Inc. is the current provider of the Odyssey Court Case Management System. The System is used throughout the 14 Miami-Dade County court office locations. In order to remain in compliance with the software license agreement and to obtain available software version releases and updates, the System requires ongoing maintenance and support services.

The Odyssey Court Case Management System is used in over 14 states and over 120 counties.

ADDITIONAL INFORMATION

Below is a link relating to Tyler Technologies, Inc. regarding the Odyssey Case Management System:

<https://www.tylertech.com/solutions-products/odyssey-product-suite/case-manager>

Below is a link relating to Tyler Technologies, Inc. regarding the use by States and Counties in the U.S.:

<https://www.tylertech.com/productsheets/odyssey/OdysseyCaseManager.pdf>

GOC Meeting: December 12, 2017
Research Notes

Item No. 3E
File No. 172695

Researcher: SM Reviewer: PGE

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-00512 FOR PURCHASE OF TRAFFIC CONTROL EQUIPMENT, ACCESSORIES, AND RENTALS FOR VARIOUS COUNTY DEPARTMENTS TO ALL AMERICAN BARRICADES, CORP. AND BON'S BARRICADES, INC. IN A TOTAL AMOUNT NOT TO EXCEED \$2,428,000.00 FOR THE FIVE 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 the award of contract No. FB-00512 for purchase of traffic control equipment, accessories, and rentals for various County departments to All American Barricades, Corp. and Bon's Barricades, Inc.

APPLICABLE LEGISLATION/POLICY

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

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

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

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

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

This item does not have procedural history.

FISCAL IMPACT

The fiscal impact for the five-year term is \$2,428,000. The current contract, 9659-0/17, is valued at \$2,204,000, for a five-year and three-month term. The expiration date of the contract is February 28, 2018. The allocation under the replacement contract is higher than the current contract because Police, PortMiami, and Transportation and Public Works anticipate an increase in usage during the contract term, as stated in the mayoral memo.

Department	Allocation	Funding Source
Parks and Recreation and Open Spaces	\$213,000	General Fund
Police	\$20,000	General Fund
PortMiami	\$215,000	Proprietary Funds
Regulatory and Economic Resources	\$10,000	Proprietary Funds
Solid Waste Management	\$33,000	Proprietary Funds

GOC Meeting: December 12, 2017
Research Notes

Transportation and Public Works	\$1,034,000	DTWP Operating
Water and Sewer	\$903,000	Proprietary Funds
Total	\$2,428,000	

ANALYSIS

This resolution would approve the competitive contract award, Contract No. FB-00512, Traffic Control Equipment and Accessory, Purchase and Rentals, for various County Departments. The method of award was to the lowest priced responsive and responsible vendor per group that met the minimum requirements as specified in the solicitation.

This contract is used to rent equipment including barricades, signs, barriers, high intensity lights and traffic control arrow boards, as stated in the mayoral memo.

The services under this solicitation are divided into groups:

- Groups A-C for non-federally funded departments.
- Groups D-E for federally funded departments.
- Groups A and D include rental of barricades, signs, high intensity lights and arrow boards.
- Groups B and E include rental of barrier systems.
- Groups C and F include purchase of solar assisted traffic control arrow boards.

An Invitation to Bid was issued under full and open competition. Nine bids were received in response to the solicitation.

All American Barricades, Corp. has two offices in south Florida, one located in Fort Lauderdale (Headquarters) and the other in Deerfield Beach. The vendor offers a wide range of services; including certified FDOT Maintenance of Traffic Plans (M.O.T), permit processing, flagging, standard type I, II, and vertical barricades, crowd control barricades, reflective construction signs, reflective and non-reflective traffic cones, flashing arrow boards, and variable message boards (VMS), as stated on their website.

Bon's Barricades, Inc. is a privately held company in Pompano Beach, FL, categorized under Yard Equipment Rental Stores. It was established in 2004 and incorporated in FL. Current estimates show this company has an annual revenue of \$2,430,637 and employs a staff of approximately 14 as stated on the website Manta.

<https://www.manta.com/c/mmjp2w7/bon-s-barricades-inc>

**GOC Meeting: December 12, 2017
Research Notes**

**Item No. 3F
File No. 172697**

Researcher: BM Reviewer: PGE

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$4,726,000.00 FOR PREQUALIFICATION POOL NO. 5966-0/23 FOR PURCHASE OF WORK GLOVES FOR VARIOUS DEPARTMENTS

ISSUE/REQUESTED ACTION

Whether the Board should approve additional expenditure in the amount of \$4,726,000 for the Prequalification Pool No. 5966-0/23, Work Gloves, to allow multiple County departments to continue purchasing different types of work gloves required for safety.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1(b)(2) of the County Code governs legacy purchases; such purchases shall mean the purchase of goods and services where competition is unavailable, impractical or constrained as a result of the need to continue to operate an existing County system which may not be replaced without substantial expenditure. Unlike other noncompetitive purchases which require a two-thirds vote of the Board members present, a legacy purchase may be awarded by the Board upon a majority vote of the members present.

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

Implementing Order No. 3-38 sets forth processes and procedures relating to the purchase of goods and services, including professional services.

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

Resolution No. R-941-13, Item 1.2 Work Gloves, established the Prequalification Pool No. 5966-0/23 and was approved by the Board on November 19, 2013.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2013/R-943-13.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

This item has no procedural history.

FISCAL IMPACT

If the proposed resolution is approved by the Board, the resolution would add \$4,726,000 of additional expenditure for work gloves for County departments.

The pool current cumulative allocation of \$3,320,000 and expires on November 30, 2023. The proposed additional expenditure will increase the pool to a modified cumulative value of \$8,046,000.

ANALYSIS

If approved by the Board, the proposed resolution approves approve additional expenditure in the amount of \$4,726,000 for the Prequalification Pool No. 5966-0/23, Work Gloves, to allow multiple County departments to continue purchasing different types of work gloves required for safety.

GOC Meeting: December 12, 2017
Research Notes

As required by the National Institute for Occupational Safety and Health Administration (OSHA) and the Miami-Dade County Safety Manual, gloves are provided to employees that require hand protection with performing job duties.

Prequalification Pool No. 5966-0/23 was approved by the Board on November 19, 2013 with a value of \$3,097,000 for 10 years. At the time a Prequalification Pool, No. 8909-0/18 Latex and Nitrile Gloves. It was determined to be in the County's best interest to consolidate Prequalification Pool No. 8909-0/18, Latex and Nitrile Gloves, into Prequalification Pool No. 5966-0/23, Work Gloves, to increase efficiency through spot market competitions.

The table below summarizes the allocation of the expenditure requested:

Department	Allocation Requested	Funding Source
Animal Services	\$ 60,000	General Fund
Corrections and Rehabilitation	\$2,500,000	General Fund
Fire Rescue	\$1,800,000	Fire District
Medical Examiner	\$150,000	General Fund
Public Housing and Community Development	\$216,000	Federal Funds
Total:	\$4,726,000	

The proposed Prequalification Pool, 5966-0/23 would consist of 16 approved vendors. However, additional vendors may be added at any time during the term of the pool.

ADDITIONAL INFORMATION

According to the OSHA guidelines, on Personal Protection Equipment, Hand and Arm Protection, If a workplace hazard assessment reveals that employees face potential injury to hands and arms that cannot be eliminated through engineering and work practice controls, employers must ensure that employees wear appropriate protection.

<https://www.osha.gov/Publications/osh3151.pdf>

**GOC Meeting: December 12, 2017
Research Notes**

**Item No. 3H
File No. 172714**

Researcher: BM Reviewer: PGE

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00578 IN A TOTAL AMOUNT UP TO \$3,387,000.00 FOR PURCHASE OF VARIOUS LABORATORY INSTRUMENTS AND INSTALLATION AND MAINTENANCE SERVICES FOR COUNTY DEPARTMENTS FOR A TERM OF FIVE YEARS; 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 CODE OF MIAMI-DADE COUNTY, FLORIDA 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 approve a resolution establishing a prequalification pool, RTQ-00578, Various Laboratory Instruments, for multiple County departments at a value of \$3,387,000 for a five-year term. The pool would provide for the purchase of various instruments used in forensic toxicology laboratories along with associated parts, accessories, installation, and maintenance services.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1(b)(2) of the County Code governs legacy purchases; such purchases shall mean the purchase of goods and services where competition is unavailable, impractical or constrained as a result of the need to continue to operate an existing County system which may not be replaced without substantial expenditure. Unlike other noncompetitive purchases which require a two-thirds vote of the Board members present, a legacy purchase may be awarded by the Board upon a majority vote of the members present.

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

Implementing Order No. 3-38 sets forth processes and procedures relating to the purchase of goods and services, including professional services.

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

Resolution No. R-941-13, Item 1.2 Work Gloves, established the Prequalification Pool No. 5966-0/23 and was approved by the Board on November 19, 2013.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2013/R-943-13.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

This item has no procedural history.

FISCAL IMPACT

If the proposed resolution is approved by the Board, the fiscal impact would be \$3,387,000 for a five-year term. The proposed allocation is lower than the current pool due to historical spending and projections for anticipated spending for the five-year term.

The current pool has a cumulative value of \$7,893,000 and expires on February 28, 2018.

GOC Meeting: December 12, 2017
Research Notes

ANALYSIS

If approved by the Board, the proposed resolution approves establishing a prequalification pool, RTQ-00578, Various Laboratory Instruments, for multiple County departments at a value of \$3,387,000 for a five-year term. The pool would provide for the purchase of various instruments used in forensic toxicology laboratories along with associated parts, accessories, installation, and maintenance services.

This proposed prequalification pool, RTQ-00578, Various Laboratory Instruments, is a replacement for Prequalification Pool No. 8348-0/12 which approved by the Board with a value of \$7,893,000 for 10 years. The pool of prequalified vendors will be established to participate in spot market competitions.

The proposed prequalification pool, RTQ-00578, Various Laboratory Instruments, will consist of two groups. Group 1 will be used for the purchase of laboratory equipment and Group 2 will be used for the installation and service of equipment.

The table below summarizes the allocation per department of the expenditure requested and the plan in which they will use the pool:

Department	Allocation Requested	Equipment Purchase	Funding Source
Medical Examiner	\$750,000	Gas chromatographs, mass spectrometers, liquid chromatographs, auto-sampler instruments, spectroscopy instruments, pipefitters, evaporators, and other related instruments	General Fund
Police	\$1,300,000	instruments, reagents, laboratory consumables, gas chromatograph flame ionization systems, mass spectrometers, forensic workstations, polarizing microscopes, foray management systems, superglue fuming cabinets and associated maintenance and support services	General Fund/State Funds/Federal Funds
Parks, Recreation, and Open Spaces	\$50,000	centrifuges and balances to support the functions; and minor laboratory items	General Fund
Regulatory and Economic Resources	\$292,000	parts and maintenance services for existing air quality monitoring equipment and new equipment for the air quality-monitoring program	Proprietary Funds
Water and Sewer	\$995,000	to sampler instruments, spectrometers, instrument data	Proprietary Funds

GOC Meeting: December 12, 2017
Research Notes

		systems, and related equipment necessary to maintain compliance with various regulatory agencies	
Total:	\$3,387,000		

The proposed Prequalification Pool, RTQ-00578 would consist of 9 approved vendors. Two vendors have been identified and will be added to the pool upon completion of the prequalification criteria. However, additional vendors may be added at any time during the term of the pool.