



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

Infrastructure and Utilities Committee (IUC) Meeting

December 12, 2017
9:30 A.M.
Commission Chambers

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Office of the Commission Auditor
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**IUC Meeting: December 12, 2017
Research Notes**

Item 3A

File No. 172611

Researcher: SAP Reviewer: PGE

RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$60,850.00 FOR THE SALE AND PURCHASE BETWEEN BETHESDA CHURCH MINISTRIES, INC., AS SELLER, AND MIAMI-DADE COUNTY, AS BUYER, FOR APPROXIMATELY 3,920 SQUARE FEET OF LAND AT 14120 NW 7 AVENUE, UNINCORPORATED MIAMI-DADE COUNTY FOR THE PURPOSE OF CONSTRUCTING A NEW PUMP STATION BY THE WATER AND SEWER DEPARTMENT; AUTHORIZING THE EXPENDITURE OF UP TO \$3,000.00 FOR CLOSING COSTS TO BE FUNDED BY BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 17, TITLED COUNTYWIDE WATER AND SEWER SYSTEM ENHANCEMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE CONTRACT, EXERCISE ALL RIGHTS CONFERRED THEREIN, TAKE ALL OTHER ACTIONS NECESSARY TO EFFECTUATE SAID PURCHASE AND ACCEPT CONVEYANCE OF PROPERTY BY WARRANTY DEED; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECORD SUCH DEED

ISSUE/REQUESTED ACTION

Whether the Board should authorize the following:

1. A contract for sale and purchase in the amount of \$60,850.00 between the County, as buyer, and Bethesda, Church Ministries, Inc., as seller, for the purpose of acquiring land to construct new pump stations for the Water and Sewer Department; and
2. Acceptance of the conveyance by the County Mayor by Warranty Deed.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-974-09, adopted July 21, 2009, requiring that County interest in real property be recorded in public records of Miami-Dade County.

<http://intra/gia/legistarfiles/MinMatters/Y2009/091900min.pdf>

Resolution No. R-537-14, adopted June 3, 2014, approving allocation of \$126,000,000.00 from BBC-GOB Program Project No. 17 – “Countywide Water and Sewer System Enhancements” to fund extension of sewer system to developed commercial and industrial corridors of the County.

<http://intra/gia/matter.asp?matter=140987&file=true&yearFolder=Y2014>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Jean Monestime

N/A

FISCAL IMPACT

The estimated total cost of the acquisition is \$63,850, which includes \$60,850 for the acquisition and approximately \$3,000 for closing costs. The funding source for the acquisition of the land is Building Better Communities General Obligation Bond Program Project No. 17, titled Countywide Water and Sewer System Enhancements.

The Contract (Attachment 2) states that:

- The purchase price is predicated upon a site area of 3,920 net square feet and shall be adjusted according to the net square feet as determined by the final survey. The Buyer is responsible to obtain a current, certified boundary survey of the Real Property prepared by a professional land surveyor licensed by the State of Florida.
- All liens of record, including certified municipal and county liens, as well as special assessments, shall be paid in full at or before closing by the Seller.

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The Warranty Deed states that Bethesda Church Ministries, Inc. for and in consideration of \$10 and other good and valuable consideration is conveying the property to the County.

ANALYSIS

The item seeks approval for the purchase of land from Bethesda Church Ministries, Inc. in the amount of \$63,850, which includes \$3,000 of closing costs, to construct a vital pump station. On November 22, 2016, an Appraisal Report was submitted by Quinlivan Appraisal to estimate the total suggested compensation of the part to be acquired plus damages. The property was personally inspected on November 20, 2016. Quinlivan Appraisal is an independent appraiser from the approved list of appraisers used by the County.

Closing costs up to \$3,000 will be funded by Project No. 17 GOB Funds. As per Resolution No. R-537-14, the use of Project 17 GOB funds will not have an immediate impact on water and sewer rates since there will be no need to issue water and sewer bonds or utilize available funds to pay the cost of such expansions.

As per the United States Environmental Protection Agency (USEPA), all pump stations need to meet an established nominal operating time of less or equal to 10 hours per day as well as other established criteria. Presently, there are 112 pump stations that do not meet the established criteria. WASD created the Pump Station Improvement Program (PSIP) to upgrade its Wastewater Collection and Transmission System. The property is located in District 2 at 14120 NW 7 Avenue in Unincorporated Miami-Dade.

District 2 Projects in the PSIP, as per WASD's website, are as follows:

- \$3,108,381 invested in District 2 by WASD;
- 3 sanitary sewer pump station upgrades, of which 2 will be implemented in the next 18 months; and
- Construction for all PSIP projects in District 2 will be completed by December 2019 ahead of the USEPA dates.

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**Item No. 3B
File No. 172493**

Researcher: NR Reviewer: TD

RESOLUTION AUTHORIZING LEGACY CONTRACT NO. L9439-4/21, PITNEY BOWES GROUP1 SOFTWARE MAINTENANCE, FOR THE INFORMATION TECHNOLOGY DEPARTMENT; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE THE THREE, ONE-YEAR OPTION TO RENEW TERMS FOR LEGACY CONTRACT NO. L9439-4/21, PITNEY BOWES GROUP1 SOFTWARE MAINTENANCE, FOR THE INFORMATION TECHNOLOGY DEPARTMENT, IN A TOTAL AMOUNT NOT TO EXCEED \$475,000.00; 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 [SEE ORIGINAL ITEM UNDER FILE NO. 171468]

ISSUE/REQUESTED ACTION

Whether the Board should authorize Legacy Contract No. L9439-4/21, Pitney Bowes Group1 Software Maintenance, and approve the exercise of the contract's next three option to renew terms (\$475,000) by the County Mayor or the County Mayor's designee.

APPLICABLE LEGISLATION/POLICY

Pursuant to Resolution No. R-187-12, the Mayor is directed to include together with any recommendation for the award of any contract that exceeds one million dollars (\$1,000,000) a description of the due diligence investigation performed to determine the Contractor's responsibility, and to report to this Board in connection with those contracts any instance where such research revealed information which may adversely affect a finding of Contractor responsibility.
<http://intra/gia/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Pursuant to Resolution No. R-98-12, before any option-to-renew period is exercised by the County on any contract, the County Mayor or County Mayor's designee is directed to attempt to negotiate better pricing for the County.
<http://intra/gia/matter.asp?matter=112444&file=true&yearFolder=Y2011>

Miami Dade Code (Code) 2-8.1, requires formal 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.
http://miamidade.fl.elaws.us/code/coordptiii_ch2_arti_sec2-8.1

Pursuant to Code 2-8.1(b) (2) Legacy 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. The County Mayor shall include, in any Legacy Purchase award recommendation, a statement as to the need for such purchase and the provisions taken to reduce or eliminate the future need for Legacy Purchases for the particular good or service.
http://miamidade.fl.elaws.us/code/coordptiii_ch2_arti_sec2-8.1

Implementing Order 3-38 sets forth the County's processes and procedures for the purchase of goods and services including professional services. It established 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 purchase, and sole sources.
<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

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PROCEDURAL HISTORY

Prime Sponsor: None

Requester : Internal Services

The original item under file No. 171468 was tabled at the June 13, 2017 Infrastructure and Utilities Committee (IUC) meeting.

FISCAL IMPACT

The contract, which is in its initial term, expires on February 28, 2018 and has an allocation of \$289,000. If this request is approved, the contract will have a modified cumulative value of \$764,000 (proprietary funds) and will expire on February 28, 2021. The requested increase in expenditure authority is based on negotiated rates in the executed agreement. Board approval of the option to renew terms is required as the cumulative value of the current term and the requested renewal terms exceed the County Mayor's delegated authority.

ANALYSIS

This item seeks the approval for the next three option-to-renew terms for the Legacy Pitney Bowes Group1 Software Maintenance contract. This contract provides for ongoing maintenance and support services for Pitney Bowes software applications. The applications are utilized by Water and Sewer's Customer Care and Billing System to conduct billing operations and provide ongoing maintenance and support.

The ISD Director approved this legacy award under the delegated authority on July 29, 2016 in the amount of \$231,025. The Director has been delegated up to \$250,000 for noncompetitive contracts. Noncompetitive contracts with an allocation exceeding \$250,000, such as the present OTR item, require Board approval. The contract was administratively extended by six months with a prorated allocation of \$57,756.24, resulting in the current allocation of \$288,781.24 (\$231,025 award amount plus \$57,756.24 proration) and an 18-month initial term.

The Market Research conducted by ISD revealed that:

- Other printing and mailing software manufacturers that provide a similar product, however the pricing would be much higher since the County already owns the licenses for the Pitney Bowes software, and also the software must be able to integrate with PeopleSoft;
- The County has used these applications since 1994 and has invested in software upgrades and standardized on Pitney Bowes equipment to integrate this software into their PeopleSoft Customer Information System;
- Pitney Bowes is the proprietary owner of these software applications and the sole provider of maintenance and support services;
- These applications help produce a significant savings to WASD's Customer Information System operations; and
- In addition to postal savings, WASD could not process the volumes of invoices that go out to customers without the use of these applications.

According to ISD, based on the proprietary nature of these software applications and WASD foreseeing using them in the long-term, it is recommended that the next option to renew be used in order to obtain the necessary maintenance and support services to support WASD's mailing and billing operations. According to ISD:

- No other vendor is capable of providing the required maintenance and support services;
- The County owns the licenses for the software that has been integrated with the System;
- The County has invested extensively in software upgrades and standardized Pitney Bowes equipment; and

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- A replacement with a similar product that meets the County's needs can cost up to \$860,000, cause critical disruptions to the Water and Sewer billing system, and will not add new functional value.

The below table provides the contract terms and allocations:

Initial/Renew	Contract Term	Allocation
Initial Term (18-month)	9/1/2016 – 2/28/2018	\$289,000
First Option to Renew	3/1/2018 – 2/28/2019	\$154,000
Second Option to Renew	3/1/2019 – 2/29/2020	\$158,000
Third Option to Renew	3/1/2020 – 2/28/2021	<u>\$163,000</u>
Total		\$764,000

The impact of this items is countywide in nature, and there are no applicable contract measures as this a legacy contract.

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Item No. 3C

File No. 172539

Researcher: SAP Reviewer: PGE

RESOLUTION APPROVING REJECTION OF ALL BIDS RECEIVED IN RESPONSE TO FORMAL BID NO. 00529 FOR LIQUID FERRIC SULFATE FOR THE WATER AND SEWER DEPARTMENT

ISSUE/REQUESTED ACTION

Whether the Board should approve the rejection of all bids received under Formal Bid No. FB-00529 for purchase of Liquid Ferric Sulfate for the Water and Sewer Department.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) – requires formal sealed bids for purchases over \$250,000; provides that procurement procedures shall be established by Implementing Order and approved by the Board.

http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_arti_sec2-8.1

Section 2-8.4 of the County Code and Implementing Order No. 3-21 governing any protest made by a participant in any competitive process utilized for selection of a person or other entity to construct any public improvement, to provide any supplies, materials or services (including professional or management services other than professional services whose acquisition procedure is governed by the Consultant's Competitive Negotiation Act, F.S. Section 287.055 et seq.), or to lease any county property.

http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_arti_sec2-8.4

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-21.pdf>

Implementing Order No. 3-38 governing 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

N/A

FISCAL IMPACT

There is no fiscal impact for the rejection of bids. According to BTS, the award value would have been \$6,696,000 for a five-year term.

Current Contract No. 9568-0/17 expires December 31, 2017 and shows the following BPO information in BTS:

	Allocation	Released	Remaining
BPO ID	Amount	Amount	Balance
ABCW00042	\$12,329,733.33	\$11,074,898.00	\$1,254,835.33

ANALYSIS

The proposed resolution authorizes the rejection of two bids, one from Evoqua Water Technologies LLC and the other from Kemira Water Solutions, Inc. for the purchase and delivery of Liquid Ferric Sulfate for the Water and Sewer Department. Note that there was a "No Bid" received from USP technologies. Ferric Sulfate is an effective primary coagulant that performs in both drinking water and wastewater treatment applications over a wide pH-range. The rejection is due to a discrepancy, with the awarded vendor Evoqua, for purportedly failing to provide the American National Standard Institute/National Science Foundation (ANSI/NSF) Standard 60 Certification (*Drinking Water Treatment Chemicals – Health Effects*).

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Pursuant to Section 2-8.4 of the Code and Implementing Order No. 3-21, on August 25, 2017, Evoqua Water Technologies LLC submitted a Written Intent to file a Protest to the Clerk of the Board in regards to the Mayor's decision to deem its bid as "non-responsible for failing to provide required qualification document." Staff reviewed the certifications and determined that the County should reconsider the certifications to accept. Rejecting the bids will allow the County to conduct further research to confirm the appropriate certification requirements prior to resoliciting.

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Item No. 3D

File No. 172699

Researcher: NR Reviewer: TD

RESOLUTION AUTHORIZING ADDITIONAL TIME OF FOUR YEARS AND EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$6,000,000.00 FOR PREQUALIFICATION POOL NO. 9234-2/18-2 FOR PURCHASE OF TELECOM SERVICES, EQUIPMENT, AND MATERIALS FOR THE INFORMATION TECHNOLOGY DEPARTMENT; 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 and expenditure authority to Prequalification Pool No. 9234-2/18-2, Telecom Services, Equipment, and Materials, for the Miami-Dade Information Technology Department (ITD). The Department is requesting \$6,000,000 in additional expenditure authority and four years of additional time.

APPLICABLE LEGISLATION/POLICY

The County established this pool via Resolution No. R-207-12 for a two-year term with two, two year option to renew terms. Adding vendors to the pool at any time, subject to ratification by the Board on a bi-annual basis, was granted under this Resolution.

<http://intra/gia/matter.asp?matter=120533&file=false&yearFolder=Y2012>

Pursuant to Resolution No. R-187-12, the Mayor is directed to include together with any recommendation for the award of any contract that exceeds one million dollars (\$1,000,000) a description of the due diligence investigation performed to determine the Contractor's responsibility, and to report to this Board in connection with those contracts any instance where such research revealed information which may adversely affect a finding of Contractor responsibility.

<http://intra/gia/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Pursuant to Code 2-8.1, the Mayor or Mayor's designee is hereby delegated the authority to award and reject bids or proposals for contracts for public improvements (construction), and purchases of supplies, materials and services (including professional services, other than professional architectural, engineering and other services subject to section 2-10.4 and Section 287.055, Florida Statutes) costing one million dollars (\$1,000,000.00) or less, or in the case of miscellaneous construction contracts designed to provide opportunities for Community Small Business Enterprises specifically authorized by Board resolution five million dollars (\$5,000,000.00) or less, without the need for action by the County Commission.

http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_arti_sec2-8.1

Implementing Order 3-38 governs the County's processes and procedures for the purchase of goods and services including professional services. It established 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 purchase, and sole sources.

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

PROCEDURAL HISTORY

Prime Sponsor: None

Requester : Internal Services

This item has no procedural history.

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FISCAL IMPACT

This pool expires on March 31, 2018 and has an existing allocation of \$16,780,000. If this request is approved, the pool will have a modified cumulative value of \$22,780,000 (Internal Services Funds) and will expire on March 31, 2022. The allocation for the extension period is lower than the allocation for the current term and is based on anticipated project needs.

ANALYSIS

This item seeks additional time and expenditure authority to Prequalification Pool No. 9234-2/18-2, Telecom Services, Equipment, and Materials, for ITD.

ITD uses the pool to purchase telecommunication services, equipment, and materials that are used to support the County's telecommunication infrastructure. The pool of pre-qualified vendors allows the County to secure the most competitive pricing by conducting spot market competitions.

This pool is currently in its final option term. If a replacement solicitation were to be issued the requirements, terms and conditions of the pool would not change. Also, it is anticipated that the same vendors would prequalify for the replacement solicitation. It is important to note that qualified vendors may be added to the pool at any time during the term of the pool. Further, this prequalification pool will remain advertised on the Internal Services Department website to encourage additional participation.

The table below reflects the existing, additional and cumulative allocations of this pool:

Department	Existing Allocation	Additional Request	Modified Allocation
Information Technology	\$16,780,000	\$6,000,000	\$22,780,000

The existing pool was established with 19 vendor and currently there are 24 pre-qualified vendors, of which 11 are local vendors. Attachment 1 in the item lists the pre-qualified vendors in the pool.

Small Business Enterprise Bid Preference and Local Preference will be applied at the time of the spot market quotation.

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Research Notes

Item No. 3E

File No. 172640

Researcher: SAP Reviewer: PGE

RESOLUTION ACCEPTING FIVE (5) ENVIRONMENTALLY ENDANGERED LANDS COVENANTS IN MIAMI-DADE COUNTY, FLORIDA

ISSUE/REQUESTED ACTION

Whether the Board should authorize the acceptance of five covenants running with the land for the preservation and maintenance of environmentally endangered lands for the Regulatory and Economic Resources Department.

APPLICABLE LEGISLATION/POLICY

Chapter 25B of the Code of Miami-Dade County governing Parks and Recreation Generally to include - Standards For Acceptance Of Conveyances Used For Scenic Outdoor Recreational Or Park Purposes Or Covenants Not To Use Land For Other Than Such Purposes

http://miamidade.fl.elaws.us/code/coor_ptiii_ch25b

Ordinance No. 79-105, adopted December 4, 1979, allows qualifying property owners to voluntarily enter into a 10-year covenant with the Board, stipulating that their property will be preserved and maintained in its natural state subject to one or more conservation restrictions.

<http://www.miamidade.gov/govaction/matter.asp?matter=102608&file=true&yearFolder=Y2010>

Florida Statutes Section 193.501 - Taxation and Finance: Assessment of lands subject to a conservation easement, environmentally endangered lands, or lands used for outdoor recreational or park purposes when land development rights have been conveyed or conservation restrictions have been covenanted.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0193/Sections/0193.501.html

Resolution No. R-974-09, adopted 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.

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

Resolution No. R1085-15, adopted December 1, 2015, accepting 14 environmentally endangered lands covenants in Miami-Dade County.

<http://intra/gia/legistarfiles/MinMatters/Y2015/152529min.pdf>

PROCEDURAL HISTORY

Co-Prime Sponsors: Commissioners Daniella Levine-Cava and Xavier L. Suarez

FISCAL IMPACT

Under Section 193.501(3)(a), Florida Statutes, and Chapter 25A of the Code, these properties will receive preferential tax treatment through reductions in their assessed property values from the Miami-Dade Property Appraiser upon execution of the covenants and approval by the Board.

ANALYSIS

This item seeks approval for five covenants in the County that meet the criteria for County acceptance under Chapter 25B of the Code. To qualify, these lands must have unique ecological characteristics, rare or limited combinations of geologic formations, features of a rare or limited nature. All five covenants include pine rocklands and/or hardwood hammock and under Ordinance No. 79-105 owners qualify to voluntarily enter into a 10-year covenant with the Board. Pine rockland is characterized by an open canopy of slash pine with a patchy understory of tropical and temperate shrubs and palms and a rich herbaceous layer of mostly perennial species including numerous species endemic to South Florida. A hardwood hammock is a habitat that is found on higher elevations, making it (like the pinelands) a dry habitat.

On December 1, 2015, the Board approved Resolution No. R-1085-15 accepting 14 EEL Covenants in Miami-Dade County. These covenants were properties located in Commission Districts 7, 8 and 9.

The Code provides an economic incentive for owners of environmentally endangered lands, such as hammocks and pinelands, who choose to manage their land in a natural state and preserve the natural resources values. The five covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 10 years from the date the covenants are recorded, unless an instrument signed by the, then, owner(s) of the Properties has been recorded agreeing to change the covenant in whole, or in part, provided that the Covenant has first been modified or released by Miami-Dade County.

The table below shows summary information about the five covenants.

Owner	Address	Commission District	Description
<i>New Covenants</i>			
Elinor B. Wolff TRS	6505 SW 135 Drive, Pinecrest	7	0.40 acres of rockland hammock <u>Note:</u> The inclusion of this property into the EEL covenant program represents a unique opportunity to preserve a remnant piece of the Warwick hammock.
Redland House & Farm LLC	26700 SW 182 Avenue, Miami	8	3.20 acres of transitional pine rockland/hardwood hammock <u>Note:</u> Future management of this property will center on maintaining slash pine canopy, maintaining low levels of exotics and native vines, and prescribed fire.
Frank R. and Gladys Elena Gibney	16881 SW 266 Terrace, Miami	8	1.72 acres of pine rockland/rockland hammock <u>Note:</u> The property owner has expressed the desire to maintain the native habitat on the site and the tax reduction associated with the EEL Covenant will help the property owner achieve this goal.
Stanley C. Kiem (LE) REM Kiem Foundation Trustees	11895 SW 94 Avenue, Miami	8	2.36 acres of tropical hardwood hammock <u>Note:</u> Future management of this property shall aim at eliminating invasive exotics, vine control, promoting native recruitment, the success of restoration planting and monitoring the rare native snail population.
<i>Renewal Covenant</i>			
Brett J. Dockendorf	In the vicinity of SW 152 and SW 221 Street, Miami	8	1.00 acres of transitional pine rockland/hardwood hammock <u>Note:</u> To keep this property from being completely cleared and developed, the property owner bought the property with the plan to clear the exotics and to continue the restoration work that was started a long time ago.

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Item No. 3F
File No. 172648

Researcher: NR Reviewer: TD

RESOLUTION APPROVING AN AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO DEDICATE THE COUNTY'S INTERESTS IN CERTAIN LANDS OWNED OR MANAGED BY MIAMI-DADE COUNTY TO THE BISCAYNE BAY COASTAL WETLANDS PHASE I RESTORATION PROJECT; APPROVING CERTIFICATION OF LANDS BY THE COUNTY TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND THE UNITED STATES ARMY CORPS OF ENGINEERS; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND CERTIFICATION OF LANDS AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve a Cooperative Agreement between Miami-Dade County (County) and the South Florida Water Management District (SFWMD) for the dedication of the County's interests in certain lands owned or managed by the County for the Comprehensive Everglades Restoration Plan Biscayne Bay Coastal Wetlands Phase I Restoration Project, the Certification of Lands.

APPLICABLE LEGISLATION/POLICY

PROCEDURAL HISTORY

Prime Sponsor: Daniella Levine Cava

Requester: Regulatory and Economic Resources

This item has no procedural history.

On September 8, 2005, the Board approved Resolution No. R-986-05, authorizing a Memorandum of Understanding (MOU) between Miami-Dade County and the South Florida Water Management District for cooperative management of the South Dade Wetlands Environmentally Endangered Lands Project.

<http://intra/gia/matter.asp?matter=052070&file=true&yearFolder=Y2005>

On July 8, 2010 the MOU was amended by Resolution No. R-718-10 to include the Biscayne Bay Coastal Wetlands and to extend the MOU to September 30, 2020.

<http://intra/gia/matter.asp?matter=101261&file=true&yearFolder=Y2010>

FISCAL IMPACT

The fiscal impact from this Agreement is positive, as some of the lands subject to the Agreement will be managed by the South Florida Water Management District, thereby reducing land management costs to the County.

ANALYSIS

Through this proposed Cooperative Agreement the County will dedicate its interests in certain lands to the South Florida Water Management District and to the U.S. Army Corps of Engineers for the Biscayne Bay Coastal Wetlands Phase I Restoration Project.

The subject lands that will be managed by the South Florida Water Management District in a manner compatible with the project's restoration purposes and consistent with the previously authorized MOU and EEL Program purposes.

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Under the MOU, a management plan was jointly developed to guide land management activities, such as invasive exotic species, protected species, dumping, and hydrology. The goals in the plan include objectives to remove exotic vegetation, to implement a prescribed fire program, to restore wetlands functions, and to provide for other activities that are necessary to protect and preserve the natural resources in the project area, consistent with the EEL Program purposes.

The purpose of the EEL Program is to acquire, preserve, enhance, restore, conserve and maintain environmentally endangered lands for the benefit of present and future generations.

The lands are primarily owned or managed by the Department of Regulatory and Economic Resources, Division of Environmental Resources Management's EEL Program, and the Department of Parks, Recreation and Open Spaces

The lands are located in Commission District 8, represented by Commissioner Daniella Levine Cava, and in Commission District 9, by Commissioner Dennis C. Moss.

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Item No. 3G

File No. 172716

Researcher: SAP Reviewer: PGE

RESOLUTION AUTHORIZING THE ACQUISITION OF A PERPETUAL EASEMENT FROM THE FLORIDA POWER & LIGHT COMPANY TO MIAMI-DADE COUNTY IN EXCHANGE FOR \$56,800.00 IN ORDER TO INSTALL AND MAINTAIN A NEW SEWER PUMP STATION BY THE MIAMI-DADE WATER AND SEWER DEPARTMENT, LOCATED AT 15100 N.W. 7 AVENUE, MIAMI, FLORIDA; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE EASEMENT, EXERCISE ALL PROVISIONS CONTAINED THEREIN AND TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE SAME

ISSUE/REQUESTED ACTION

Whether the Board should approve the acquisition of a perpetual easement from the Florida Power and Light Company (FP&L) for \$56,800.00 for the installation and maintenance of a new County-owned sewage pump station for the Water and Sewer Department.

APPLICABLE LEGISLATION/POLICY

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.

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

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Jean Monestime

N/A

FISCAL IMPACT

The funding source for this acquisition is General Obligation Bond funds (Commercial and Industrial Corridors – Extension of Sewer System). The County has agreed to pay FP&L \$56,800 based upon the appraised value.

ANALYSIS

The Water & Sewer Department is seeking approval for a perpetual easement from the FP&L in exchange for \$56,800 which is based on the appraised value of the easement. A perpetual easement is that type of easement which is to last without any limitation of time. On September 19, 2017, an Appraisal report was submitted by Quinlivan Appraisal to estimate the total suggested compensation of the part to be acquired plus damages. The property was personally inspected on February 5, 2017 and September 18, 2017. Quinlivan Appraisal is an independent appraiser from the approved list of appraisers used by the County.

WASD will use the easement to install and maintain a new sewer pump station on a 4,456 square foot section of land on the southwest corner at the utility substation. This new pump will provide additional storage capacity and promote economic development by making sewer service to commercial corridors currently lacking connection to the County's sewer system in the area.

The Easement Agreement includes the following:

1. *Reservation of Grantor (FP&L) Rights* – FP&L reserves all rights of ownership in and to the easement Premises and keeps, saves, preserves, maintains, and reserves unto itself and to each and all of its successors and assigns, all of its rights and interests in and to the East Premises;
2. *Grantee (Miami-Dade County) Encumbrances* – The County shall not, without express prior written agreement with and prior approval from FP&L, directly or indirectly create or cause any lien, mortgage, security pledge, or any form of encumbrance(s) to be applied to or affect the Easement Premises.

3. *Design, Construction and Maintenance* – At all times during the Term of the Easement, in order to protect persons and property, Miami-Dade County, at its sole expense, shall maintain the entire easement Premises. All design, construction, repair and maintenance of facilities and improvements within the easement Premises shall comply with FP&L's instructions and specification along with all applicable laws. If an emergency situation occurs which requires immediate repair of any facility within the easement Premises to prevent injury to persons or property, the County may at its discretion handle the repair itself and/or hire a Contractor and direct that Contractor to commence repair of the facility(ies) within the Easement Premises.

As per the United States Environmental Protection Agency (USEPA), all pump stations need to meet an established nominal operating time of less or equal to 10 hours per day as well as other established criteria. Presently there are 112 pump stations that do not meet the established criteria. WASD created the Pump Station Improvement Program (PSIP) to upgrade its Wastewater Collection and Transmission System. The property is located in District 2 at 15100 NW 7 Avenue (unincorporated Miami-Dade).

District 2 Projects in the PSIP, as per WASD's website, are as follows:

- \$3,108,381 invested in District 2 by WASD
- 3 sanitary sewer pump station upgrades, of which 2 will be implemented in the next 18 months
- Construction for all PSIP projects in District 2 will be completed by December 2019 ahead of the USEPA dates.

Item No. 3H

File No. 172423

Researcher: NR Reviewer: TD

RESOLUTION APPROVING ADDENDUM NUMBER ONE TO AGREEMENT BETWEEN MIAMI-DADE COUNTY AND D.R. HORTON, INC. FOR WATER AND SANITARY SEWER FACILITIES, FOR A TERM OF 365 DAYS, WHICH ADDENDUM ELIMINATES REQUIREMENT THAT D.R. HORTON, INC. CONSTRUCT A NEW PUBLIC REGIONAL PUMP STATION AND INSTEAD REQUIRES D.R. HORTON, INC. TO CONTRIBUTE \$186,439.58 FOR ITS PRO-RATA SHARE OF THE COSTS OF UPGRADING COUNTY-OWNED PUMP STATION NO. 1018; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AND EXERCISE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve Addendum Number One to Agreement for Water and Sanitary Sewer Facilities between Miami-Dade County (County) and D.R. Horton, Inc.” (Addendum Number One) for the “AH at Turnpike Second Addition” development project. Addendum Number One modifies the original sewer service requirements for the development project to connect to the County’s sewer system.

APPLICABLE LEGISLATION/POLICY

There is no applicable legislation

PROCEDURAL HISTORY

Prime Sponsor: Dennis Moss

Requester: Water & Sewer Department

This item was deferred at the November 14, 2017 Infrastructure and Utilities Committee (IUC) meeting.

FISCAL IMPACT

In order to design, construct and install the upgrades to PS 1018, there will be a fiscal impact to the County. Based on WASD’s project estimate, the total project cost is estimated to be \$1,537,877. D.R. Horton, Inc. will pay twelve percent of the total costs (\$186,439.58). This financial contribution is based on the projected flows, as determined by hydraulic modeling performed by WASD of the D.R. Horton project.

This pump station upgrade project is budgeted under OMB project number 9650371, Lift Station Upgrades and Structural Maintenance Improvements, Adopted Budget Book FY2016-17. The funding sources are a combination of Future WASD Revenues Bonds, WASD Revenue Bonds Sold and the Wastewater Renewal Fund.

ANALYSIS

This resolution proposes Addendum Number One to Agreement for Water and Sanitary Sewer Facilities between County and D.R. Horton, Inc. The Agreement eliminates the requirement that D.R. Horton, Inc. build a new public regional pump station and instead requires D.R. Horton, Inc. contribute its pro-rata share of the costs needed for the County to upgrade County-owned Pump Station No. 1018 (PS 1018).

On May 1, 2015, an agreement was entered into between the County and Adrian Developers of De La Fuente Parcel, LLC (Adrian Developers). The Agreement required Adrian Developers to design, construct and install a new public regional sewage pump station in order to connect its 180-single family home project to the County’s sewer system. Subsequently, it was determined that the WASD’s Pump Station (PS) 1018 could accept the flows generated by the Adrian Developers project if improvements were constructed within the current PS 1018 basin area. Adrian Developers and WASD agreed to improve PS 1018 with the condition that the property owner (Adrian Developers) would contribute toward the costs of the upgrade. However, Adrian Developers sold the land to D.R. Horton, Inc. while the project was under construction. D.R. Horton, Inc., the new property owner through an Assignment dated August 11, 2017 took over responsibility for the Agreement with the County.

PS 1018 will provide sewer service for D.R. Horton, Inc.'s new 180-single-family home residential project as well as other future development projects to be constructed in the area served by PS 1018. In addition, the County will benefit from the elimination of the construction of a new public regional pump station because it will not have to assume the costs associated with the operation and maintenance of a new public regional pump station

The project is located in District 9, represented by Commissioner Dennis Moss.

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

Item No. 3I

File No. 172610

Researcher: NR Reviewer: TD

RESOLUTION AMENDING IMPLEMENTING ORDER 4-110 RELATED TO MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT'S SCHEDULE OF RATES, FEES AND CHARGES

ISSUE/REQUESTED ACTION

Whether the Board should authorize an amendment to Implementing Order 4-110 relating to the Water and Sewer Department's (WASD) Schedule of Rates, Fees, and Charges, which was adopted as part of the County's FY 2017-18 Adopted Budget, effective October 9, 2017

APPLICABLE LEGISLATION/POLICY

In accordance with Ordinance 16-107 the Board adopted on 10/5/2016 a new set of requirements related to the design and construction of water systems in mixed-use buildings.

<http://intra/gia/matter.asp?matter=161507&file=true&yearFolder=Y2016>

PROCEDURAL HISTORY

Prime Sponsor: Infrastructure and Utilities Committee

Requester: Water & Sewer Department

This item has no procedural history.

FISCAL IMPACT

There is no fiscal impact to the County in the proposed amendment to Implementing Order 4-110 as the application of the revised mixed-use building rate structure (versus existing non-residential rates) was accounted for in the County's FY 2017-18 Adopted Budget. WASD estimated that its operating revenues would decrease by approximately \$1.3 million as the revised mixed-use building rate structure yields lower bills for water and wastewater consumption.

ANALYSIS

This amendment revises the mixed-use building rate structure applied to mixed-use buildings, which by definition contain more than two residential dwellings and non-residential (commercial) activities served by the same water meter. With the implementation of this amendment, the billed meter charge will change from a single meter charged to the entire building to a per unit meter and usage charge based on the number of residential units in the building, which will result in lessening the financial burden on customers.

Prior to October 1, 2016, developer and/or contractor were not required to design and construct separate plumbing and meters in mixed-use buildings. As a result those mixed use buildings are currently being billed at non-residential rates because the Department cannot distinguish between the amount of water used by the non-residential and the residential portions of the buildings.

The FY 2017-18 Budget included a Mixed Use Building rate structure which consists of a five percent discounted rate structure to provide relief to customers. This rate structure was created and is viewed by WASD as a short-term solution while the Department continues its review of revenue impacts of other pricing mechanisms.

This alternative approach applies the revised mixed-use building rate structure to the residential portions of mixed-use buildings. The average savings for these affected customers can range between 15 to 29 percent, and it depends on the size of the meter, the number of units and water consumption.

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

ADDITIONAL INFORMATION

Pursuant to Ordinance 16-107, effective October 1, 2016, all permit applications for new buildings in Miami-Dade Water and Sewer Department's service area that contain both residential and commercial uses shall be required to include separate plumbing with a separate water meter and a separate point of connection to the Department's water distribution system for the commercial portions of the building and the residential portions of the building.

It is important to note that mixed use buildings constructed after October 1, 2016 will not be affected by the proposed alternate approach above described in the Analysis Section.

The impact of the proposed amendment is countywide because there are approximately 300 accounts in WASD's service areas throughout the County that are categorized as mixed-use buildings.