



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

**Economic Development and Tourism Committee**

December 14, 2017  
1:30 P.M.  
Commission Chambers

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**EDTC Meeting: December 14, 2017**  
**Research Notes**

**Item No. 3A**  
**File No. 172710**

**Researcher: BM    Reviewer: TD**

RESOLUTION APPROVING A 10-YEAR LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CUBAN PILOTS ASSOCIATION, INC. (CUPA) FOR A PARCEL OF LAND ALREADY IN USE AS A BAY OF PIGS INVASION MEMORIAL AT MIAMI EXECUTIVE AIRPORT, WITH ANNUAL PAYMENTS BY CUPA TO MIAMI-DADE COUNTY IN THE AMOUNT OF \$4,922.19; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE TERMINATION PROVISIONS THEREIN; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE THE COUNTY PROPERTY APPRAISER A COPY OF SAID LEASE

**ISSUE/REQUESTED ACTION**

Whether the Board should approve a 10-year Lease Agreement with the Cuban Pilots Association, Inc. (CUPA), a non-profit organization, for a 23,439 square foot parcel at the Miami Executive Airport (TMB) to establish a memorial to honor pilots lost during the Bay of Pigs invasion in 1961.

**APPLICABLE LEGISLATION/POLICY**

Resolution No. R-224-99, adopted by the Board on March 4, 1999, authorized the acceptance of the B-26B Bomber for display as part of the Memorial.

This resolution is not available online.

Resolution No. R-649-07, adopted by the Board on June 5, 2007, awarded CUPA a 10-year Lease Agreement for the parcel with the County.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2007/R-649-07.pdf>

Resolution No. R-461-13, adopted by the Board on June 4, 2013, includes a termination provision should the not-for-profit entity fail to maintain public benefit.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2013/R-461-13.pdf>

Resolution No. R-791-14, adopted by the Board on September 3, 2014, directs the Mayor or designee to provide the Miami-Dade County Property Appraiser copies of all lease/operating agreements involving County-owned property.

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

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Joe A. Martinez, District 11**

**Department/Requester: Aviation Department**

**FISCAL IMPACT**

If the proposed resolution is approved by the Board, it will be revenue-generating for the County. The County will receive \$4,922.19, which is based on fair market value, annually from CUPA for the 10-year Lease Agreement term. CUPA will be responsible for maintenance expenditure of the premises.

**ANALYSIS**

If approved by the Board, the resolution approve a 10-year Lease Agreement with the Cuban Pilots Association, Inc. (CUPA), a non-profit organization, for a 23,439 square foot parcel at the Miami Executive Airport (TMB) to establish a memorial to honor pilots lost during the Bay of Pigs invasion in 1961.

The Lease Agreement for the memorial with CUPA was established by the Board on April 27, 2007, for a 10-year term, which expired on June 18, 2017.

**EDTC Meeting: December 14, 2017**

**Research Notes**

CUPA would like to continue honoring the memory of the fallen pilots. This resolution would provide for a new 10-year Lease Agreement for a memorial to pilots of the Bay of Pigs invasion of 1961 at the TMB.

**ADDITIONAL INFORMATION**

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Cuban Pilots Association, Inc., has an active status and first filed and registered on 12/17/1990.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=CUBANPILOTSASSOCIATION%20N412800&aggregateId=domnp-n41280-736bcd56-89b7-4e88-9557-58ffb164caec&searchTerm=cuban%20pilot%20association&listNameOrder=CUBANPILOTSASSOCIATION%20N412800>

Additional information on the TMB is available at the Miami-Airport website.

Miami Executive Airport (TMB) is one of the busiest general aviation airports in Florida, serving corporate, recreational, flight training, and governmental agency activities.

[http://www.miami-airport.com/kendall\\_tamiami.asp](http://www.miami-airport.com/kendall_tamiami.asp)

Additional information is available on the Bay of Pigs Invasion in 1961 of Memorial at the link below:

<https://travelforaircraft.wordpress.com/2009/10/21/a-new-monument-to-fliers-%E2%80%93-the-aviators-of-the-bay-of-pigs-invasion-%E2%80%93-the-douglas-b-26-invader/>

Item No. 3B

File No. 171336

Researcher: SAP Reviewer: TD

RESOLUTION APPROVING AWARD OF THE NON-EXCLUSIVE LEASE AND CONCESSION AGREEMENT FOR COMMUNICATION SERVICES, RFP NO. MDAD-03-15, TO EXACTTA, LLC, WITH A MINIMUM ANNUAL GUARANTEE OF \$266,000.00 OR A PERCENTAGE FEE OF EIGHTEEN PERCENT, WHICHEVER IS GREATER, FOR A TERM OF FOUR YEARS, WITH ONE OPTION TO RENEW FOR A ONE YEAR PERIOD; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE RENEWAL AND TERMINATION PROVISIONS CONTAINED THEREIN

### **ISSUE/REQUESTED ACTION**

Whether the Board should approve the award of non-exclusive lease and concession agreement (RFP No. MDAD-03-15) to Exactta, LLC with a minimum guarantee of \$266,000.00 for communications services at the airport.

### **APPLICABLE LEGISLATION/POLICY**

Section 2-8.3 of the County Code - Authority as to contracts for the Aviation Department. Requiring the County Manager to review responses to solicitations and to recommend the appropriate action to the County Commission.

[http://miamidade.fl.elaws.us/code/coor\\_ptiii\\_ch2\\_artxxxii\\_sec2-285](http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_artxxxii_sec2-285)

Resolution No. R-187-12, adopted February 21, 2012, directing the County Mayor to include due diligence information in memoranda recommending certain contract awards.

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

### **PROCEDURAL HISTORY**

**Prime Sponsor:** None

**Requester:** Aviation Department

### **FISCAL IMPACT**

The project is revenue generating. As per Article 3.01 of the Agreement – Minimal Annual Guarantee (MAG) Exactta, LLC. will pay MDAD the greater of a MAG of \$266,000.00 which includes the annual rent for the locations or a category fee of 18 percent.

### **ANALYSIS**

This item seeks approval of a non-exclusive lease and concession agreement to Exactta, LLC. (RFP No. MDAD-03-15) for communications services at the Airport. The scope of services include, but not limited to, sim cards, pin phone cards and unblocked mobile phones. The contract is for a term of four years with one option to renew for a one year period inclusive of a MAG of \$266,000.00. Airports throughout the Country have recognized the importance of ensuring that their concessions reflect a “sense of the destination” and diversity in concession offerings at MIA will help create that “sense of destination.”

The Lease and Concession Agreement provides for three (3) locations at MIA.

- 1) Third level of Terminal J, International Arrivals;
- 2) First floor of Terminal D, International Arrivals; and
- 3) Rental Care Center.

The Agreement includes the following:

- Article 1 (1.07C) - **Deletion, Modifications or Relocation of Location(s)** - The Department reserves the right, at its sole discretion, to delete or modify any of the location(s), or any support spaces due to Airport development/construction, operational necessity, and security or safety considerations. In the event of such deletion or modification, Exactta, LLC., shall be given no less than (i) thirty (30) days written notice for such

**Research Notes**

deletion or modification due to operational necessity, and security or safety considerations; and (2) sixty (60) days written notice for such deletion or modification due to development/construction.

- Article 1 (1.09) – **Condition of the Location(s)** - Exactta, LLC. specifically acknowledges and agrees that the Department is leasing all three location(s) on an “as is” basis.

- Article 2 (2.05) – **Scope of Services**

Kiosk (Unit) Specifications – The requested maximum size of the units should be no more than six feet (6ft) high, four feet (4ft) wide and six feet (6ft) deep.

Communication Services – Typical services will include SIM cards (several plans), pin phone cards and unblocked mobile phones for rent and sale. Additional services may be proposed and agreed upon by written consent of the Department.

Pricing – All services and products will be offered at competitive process with those prices charged for similar services and products at comparable currency exchange locations throughout the Miami area and at similar size airports within the United States. Exactta, LLC will be requested to provide a price comparison every year on the Agreement anniversary date.

- Article 3 (3.09) – **Concession Marketing Fee** – a concession marketing fee of one half (1/2) of one percent (1%) of Gross Revenues will be assessed annually to be paid to the 20<sup>th</sup> of each month to be used for marketing the concessions at the Airport.
- Article 4 (4.10) **Construction Permit Fee** – Exactta, LLC. shall pay a permit fee to the department for improvements which would customarily be paid to the County’s Building Department as a condition to issuance of a permit.

**ADDITIONAL INFORMATION**

Exactta, LLC. is a local company based on Miami, Florida.

**Nelson Horta Reporta.** *Company Selected to Sell SimCards at MIA Has Many Complaints on the Pages of Ripoff Report, Tripadvisor and BBB.org. March 27, 2017*

After our articles related to Exactta LLC, which was given a “pilot” program to operate kiosks and sell SimCards at Miami International Airport without having to go through the cumbersome bidding system, countless readers alerted us to read RipoffReport.com, Tripadvisor.com and BBB.org pages.

<http://nelsonhortareporta.com/company-selected-to-sell-simcards-at-mia-has-many-complaints-on-the-pages-of-ripoff-report-tripadvisor-and-bbb-org/>

Item No. 3C

File No. 172641

Researcher: SAP Reviewer: TD

RESOLUTION APPROVING AWARD OF THE LEASE AND CONCESSION AGREEMENT FOR FOREIGN CURRENCY EXCHANGE SERVICES, RFP NO. MDAD-02-15, TO LENLYN LTD. D/B/A ICE CURRENCY SERVICES USA, WITH A MINIMUM ANNUAL GUARANTEE OF \$608,000.00, FOR THE LOCATIONS, OR A PERCENTAGE FEE OF 6.30%, WHICHEVER IS GREATER, FOR A TERM OF THREE (3) YEARS, WITH THREE (3) ONE-YEAR OPTIONS TO RENEW; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE RENEWAL AND TERMINATION PROVISIONS CONTAINED THEREIN

### **ISSUE/REQUESTED ACTION**

Whether the Board should approve the award of the lease and concession agreement (RFP No. MDAD-02-15) to LenLyn, Ltd. D/B/A Ice Currency Services USA (ICE), with a Minimum Annual Guarantee (MAG) of \$608,000 for foreign currency exchange services.

### **APPLICABLE LEGISLATION/POLICY**

Section 2-8.3 of the County Code - Authority as to contracts for the Aviation Department. Requiring the County Manager to review responses to solicitations and to recommend the appropriate action to the County Commission.

[http://miamidade.fl.elaws.us/code/coor\\_ptiii\\_ch2\\_artxxxii\\_sec2-285](http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_artxxxii_sec2-285)

Resolution No. R-187-12, adopted February 21, 2012, directing the County Mayor to include due diligence information in memoranda recommending certain contract awards.

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

### **PROCEDURAL HISTORY**

**Prime Sponsor:** None

**Requester:** Aviation Department

### **FISCAL IMPACT**

The project is revenue generating with the following payments to the County. ICE will pay MDAD's a MAG of \$608,000. Other Percentages Fees to be paid to MDAD are as follows:

- 25% of pre-paid phone cards gross revenues;
- 15% on all other services gross revenue;
- 15% of travelers checks, money wires and cash advances (credit card) collected fees; and
- 3% percent on online sales/booking

### **ANALYSIS**

This item seeks approval of the award of the lease and concession agreement to LenLyn, Ltd. D/B/A Ice Currency Services USA (ICE), with a Minimum Annual Guarantee (MAG) of \$608,000 or a percentage fee of 18%, whichever is greater, for foreign currency exchange services. The term of the contract is for three (3) years with three (3) one-year options to renew. ICE is one of the world's leading providers of retail Bureau of Change and online foreign exchange services.

**SCOPE OF SERVICES**

*Typical Foreign Currency Exchange Services shall include, but not limited to:*

- Foreign Currency Exchange
- Travelers Checks
- Money Wires/Western Union
- Travel Insurance
- Cash Advance on Credit Cards
- Prepaid Phone Cards, Phone Rentals, SIM Cards
- Other special services such as Public Notary services, facsimile services, photocopy services, hotel reservations, attraction tickets, bus/rail tickets, flower ordering, and courier shipping are suggested.

Additional services may be proposed and agreed upon by written consist of MDAD.

*Pricing*

All services and products will be offered at competitive process with those prices charged for similar services and products at comparable currency exchange locations throughout the Miami area and at similar size airports within the United States. The prices and charges of services and products will be pre-approved by MDAD.

Item Nos. 3D and 3E

File Nos. 172642 and 172643

Researcher: SAP Reviewer: TD

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT WITH ENVIRONMENTAL SCIENCE ASSOCIATES CORPORATION FOR AVIATION ACOUSTICAL AND LAND-USE COMPATIBILITY PLANNING SERVICES, PROJECT NO. E16-MDAD-10, IN AN AMOUNT NOT TO EXCEED \$501,250.00 FOR A TERM OF FIVE (5) YEARS; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE PROVISIONS THEREOF, INCLUDING THE TERMINATION PROVISIONS CONTAINED THEREIN

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT WITH LANDRUM & BROWN, INC., FOR AVIATION ACOUSTICAL AND LAND-USE COMPATIBILITY PLANNING SERVICES, PROJECT NO. E16-MDAD-10; IN AN AMOUNT NOT TO EXCEED \$501,250.00 FOR A TERM OF FIVE (5) YEARS; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE PROVISIONS THEREOF, INCLUDING THE TERMINATION PROVISIONS CONTAINED THEREIN

### **ISSUE/REQUESTED ACTION**

Whether the Board should approve two (2) similar Professional Services Agreements (PSAs) under Project No. E-16-MDAD-10 for a term of five (5) years for aviation acoustical and land-use compatibility planning services at the Aviation Department.

Company	Amount	Location
1. Environmental Science Associates Corporation	\$501,250.00	Tampa, FL
2. Landrum and Brown, Inc.	\$501,250.00	Cincinnati, OH

### **APPLICABLE LEGISLATION/POLICY**

Section 2-8.3 of the County Code governing authority as to contracts for the Aviation Department. Requiring the County Manager to review responses to solicitations and to recommend the appropriate action to the County Commission.

[http://miamidade.fl.elaws.us/code/coor\\_ptiii\\_ch2\\_artxxxii\\_sec2-285](http://miamidade.fl.elaws.us/code/coor_ptiii_ch2_artxxxii_sec2-285)

Resolution No. R-187-12, adopted February 21, 2012, directing the County Mayor to include due diligence information in memoranda recommending certain contract awards.

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

### **PROCEDURAL HISTORY**

**Prime Sponsor:** None

**Requester:** Aviation Department

This item has no procedural history.

### **FISCAL IMPACT**

Funding source for both PSAs will be MDAD Operating Fund (Multi-Year).

### **ANALYSIS**

These two items seek approval of PSAs under Project No. E-16-MDAD-10, each in the amount not to exceed \$501,250.00 for a term of five (5) years with Environmental Science Associates Corporation and Landrum and Brown, Inc. The scope of work in the agreement provides for professional services to be performed for Aviation Acoustical and Land Use Compatibility Planning services for Miami International Airport and the five (5) County-owned auxiliary airports.

Services will include, but not limited to, studies such as:

## EDTC Meeting: December 14, 2017

### Research Notes

1. Federal Aviation Administration Federal Aviation Regulations (FAR) Part 150 noise compatibility,
2. Aircraft noise monitoring,
3. Airspace flight track management,
4. Aircraft noise abatement, and
5. Wildlife hazard management

Other services include addressing airport/community land use compatibility issues, environmental assessments, and environmental impact statements.

Compensation for Primary Services – The fee for services authorized in accordance with the agreement will be computed by one of the following three methods:

1. **Flat rate:** In accordance with the compensation schedule below:

Labor Category	Hourly Billing Rate
Principal	\$235
Project Manager	\$200
Managing Consultant	\$190
Senior Consultant	\$144
Consultant	\$120
Technical Specialist/Support	\$75

2. **Not to Exceed:** The Consultant is compensated for the actual time of personnel engaged directly in performing services under this Agreement.
3. **Agreed Lump Sum:** The Consultant agrees to perform specifically described services for an agreed fixed dollar amount of compensation.

### **SELECTION PROCESS**

On January 17, 2017, a Notice to Professional Consultants (NTPC) was issued under full and open competition to award the two (2) PSAs. On February 17, 2017, the Clerk of the Board received three (3) proposals and the two (2) top-ranked firms, Environmental Science Associates Corporation and Landrum & Brown, Inc. were found by the Selection Committee to have met the qualification requirements. None of the awarded firms are local.

According to Sunbiz.org, the State of Florida, Department of State certifies that Environmental Science Associates Corporation is an Ohio corporation authorized to transact business in the State of Florida, qualified on August 20, 1984. According to Sunbiz.org, the State of Florida, Department of State certifies that Landrum & Brown, Inc., Corporation is a California corporation authorized to transact business in the State of Florida, qualified on March 20, 2000.

*OCA posed the following questions to the Department. Answers will be included in the BCC notes.*

1. There were no local firms that responded to the Notice to Professional Consultants. How was the bidding process conducted?
2. Does any of the awarded firms have a local office? If yes, how many Miami residents are employed by these firms in the local office?

**ADDITIONAL INFORMATION**

Landrum and Brown, Inc. based in Cincinnati, OH, offers a full range of aviation planning and development disciplines and has provided consulting services to the Broward County Aviation Department (BCAD) in the areas such as airfield planning and operations analysis, Airfield planning and operations analysis, Airspace and obstructions analysis and mitigation, environmental analyses and one-engine inoperative procedures analysis.

<https://www.landrum-brown.com/en/projects/fort-lauderdale-hollywood-international-airport/>

**EDTC Meeting: December 14, 2017**  
**Research Notes**

**Item No. 3F**  
**File No. 172806**

**Researcher: BM    Reviewer: TD**

RESOLUTION WAIVING COMPETITIVE BIDDING BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE COUNTY CODE FOR THE EIGHTH COUNTY AMENDMENT TO THE CONSULTANT AGREEMENT BETWEEN SEQUEIRA & GAVARRETE, INC. AND MIAMI-DADE COUNTY; APPROVING THE EIGHTH COUNTY AMENDMENT TO THE CONSULTANT AGREEMENT BETWEEN SEQUEIRA & GAVARRETE, INC. AND MIAMI-DADE COUNTY FOR PROJECT SUPPORT SERVICES FOR THE TERMINAL OPTIMIZATION PROGRAM FOR THE MIAMI-DADE AVIATION DEPARTMENT, INCREASING THE CONTRACT VALUE BY \$3,000,000.00 AND EXTENDING THE TERM TO JULY 31, 2018; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE ALL RIGHTS PROVIDED FOR IN THE AMENDMENT

**ISSUE/REQUESTED ACTION**

Whether the Board should: (1) waive the competitive bid procedures pursuant to County Code Section 2-8.1 and Section 5.03(D) of the Home Rule Charter; (2) approve the Eight County amendment to the Consultant Agreement Project Support Services for the Terminal Optimization Program (TOP) at Miami International Airport (MIA) with Sequeira & Gavarrete, Inc. (S&G) allocating additional funding of \$3,000,000 and extending the term to July 31, 2018; and (3) authorize the Mayor or designee to execute the attached amendment.

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1 of the County Code (Contracts and Purchases, Generally); this section requires formal sealed bids for purchases over \$250,000; describes the circumstances under which non-competitive purchases may be approved, including legacy and designated purchases; and provides that procurement procedures shall be established via an Implementing Order.

[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)

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>

Resolution No. R-265-16, adopted by the Board on April 5, 2016, relates to a sixth amendment to the agreement to add \$3.3 million to the agreement.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2016/R-265-16.pdf>

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: Aviation Department**

**EDTC Meeting: December 14, 2017**  
**Research Notes**

**FISCAL IMPACT**

If the proposed resolution is approved by the Board, it will add \$3,000,000 of funding and extend the term of Project No. B701D until July 31, 2018 for support services for the Terminal Optimization Program.

The additional allocation would increase the Total Authorized Amount from \$114,534,902 to \$117,534,902.

**ANALYSIS**

If approved by the Board, the resolution: (1) waives the competitive bid procedures pursuant to County Code Section 2-8.1 and Section 5.03(D) of the Home Rule Charter; (2) approves the Eight County amendment to the Consultant Agreement Project Support Services for the Terminal Optimization Program (TOP) at Miami International Airport (MIA) with Sequeira & Gavarrete, Inc. (S&G) allocating additional funding of \$3,000,000 and extending the term to July 31, 2018; and (3) authorizes the Mayor or designee to execute the attached amendment.

The Aviation Department has initiated its TOP in late 2014, in response to airlines request for more gates, as a \$1.149 billion capital improvement program to make MIA a more desirable and efficient transportation center. The TOP is intended to expand the functionality of existing terminal buildings, modernize older terminals, and provide safe and efficient terminal facilities for the next 20 to 30 years. The TOP has been broken into two phases with Phase I to cover the Fiscal Year 2015 to Fiscal Year 2018 time period and Phase II to cover the Fiscal Year 2019 to Fiscal Year 2025 time period. Phase I has been estimated to cost \$650.6 million and Phase II is estimated to cost \$498.0 million.

The TOP is primarily funded by bonds, federal and state grants, PFCs, and monies set aside from the Reserve Maintenance Fund and Improvement Fund.

The previous seven modifications to this agreement are summarized in the table below:

Modification	Effect
1	Increased the contract by \$2,500,000Cost or cost estimating, code research for Life Safety Master Plan, and additional support staff for the BHS; and exercised three (3) one-year renewal options for \$45,150,000
2	Allowed utilization of the available balance in the Basic Services allocation to fund work authorized as Dedicated Services or Reimbursable Expenses.
3	Extended the term to September 30, 2014.
4	Modified the term to January 31, 2015.
5	Extended the term to January 31, 2018, and expanded the scope of work.
6	Added \$3,300,000 to continue providing services at MIA
7	Added \$2,800,000 to continue providing services at MIA.

The most recent amendment was approved by the Board on June 6, 2017. This Amendment achieves the objective of providing the services needed to ensure that work is continued and contractors are paid on time. This Agreement will be in effect until the new agreement is awarded. The current vendor is Sequeira & Gavarette, Inc.

It is in the best interest of the County to waive competitive bid procedures pursuant to Miami-Dade County Code Section 2-8.1 in order to ensure the work is continued and contractors are paid on time.

**EDTC Meeting: December 14, 2017**  
**Research Notes**

**ADDITIONAL INFORMATION**

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Sequeira & Gavarette, Inc., has an active status and first filed and registered on 5/28/1986.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=SEQUEIRAGAVARRETE%20M327721&aggregateId=domp-m32772-3823619b-2cf0-4a95-a479-4617198d3cd5&searchTerm=Sequeira%20%26%20Gavarette%2C%20Inc&listNameOrder=SEQUEIRAGAVARRETE%20M327721>

More information is available at the link below regarding the Airport Master Plan and Capital Improvement Plan:

[http://www.miami-airport.com/master\\_plan.asp](http://www.miami-airport.com/master_plan.asp)

Below is a link for the 2016 Comprehensive Annual Financial Report for the Miami-Dade Aviation Department:

<http://www.miami-airport.com/library/pdfdoc/Miami-Dade%20Aviation%20Issued%20CAFR%20FS-%2003-10-2017.pdf>

Below is a link for the 2017 fiscal year adopted budget for the Miami-Dade Aviation Department:

[http://www.miami-airport.com/library/pdfdoc/MDAD\\_2017\\_Budget.pdf](http://www.miami-airport.com/library/pdfdoc/MDAD_2017_Budget.pdf)

**EDTC Meeting: December 14, 2017**  
**Research Notes**

**Item No. 3H**

**File No. 172703**

**Researcher: SM**

**Reviewer: TD**

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 BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT AND AWARDING CONTRACT NO. BW9916-0/17 TO COBUS INDUSTRIES, LP, IN A TOTAL AMOUNT UP TO \$960,000.00 TO PURCHASE TWO COBUS 3000 SPECIALIZED AIRPORT BUSES FOR THE AVIATION DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWAL AND EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

**ISSUE/REQUESTED ACTION**

Whether the Board should waive competitive bidding procedures for the purchase of goods and services, and approve award of Contract No. BW9916-0/17 to Cobus Industries, LP for the purchase of two Cobus 3000 specialized airport buses for the Miami-Dade Aviation Department (MDAD).

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1 of the County Code (Contracts and Purchases, Generally); this section requires formal sealed bids for purchases over \$250,000; describes the circumstances under which non-competitive purchases may be approved, including legacy and designated purchases; and provides that procurement procedures shall be established via an Implementing Order.

[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 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>

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/chapter/library/chapter.pdf>

Resolution No. R-1011-15 directs the County Mayor to require that vendors provide addresses of all local branch offices and headquarters and the number and percentage of local residents such vendors employ; and directing the County Mayor to include such information in memorandum to Board pertaining to vendor being recommended for contract award.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2015/R-1011-15.pdf>

Resolution No. R-187-12 directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2012/R-187-12.pdf>

Resolution No. R-411-14 Approved a bid waiver contract to purchase two Cobus airfield buses

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2014/R-411-14.pdf>

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department**

This item has no procedural history.

**FISCAL IMPACT**

The impact to the County for the one-time purchase will be \$960,000.

**ANALYSIS**

The proposed resolution waives 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 by a two-thirds vote of the board members present and awarding contract no. BW9916-0/17 to Cobus industries, LP, in a total amount up to \$960,000.00 to purchase two Cobus 3000 specialized airport buses for MDAD.

MDAD uses airfield buses to transport passengers between the main terminal and the tarmac. These buses can also be used for emergency evacuations. All airfield buses are required to comply with Federal Aviation Regulations including U.S Department of Transportation's Passenger Bill of Rights.

Four of the department's existing airfield buses have a maximum capacity of 39 passengers each. Two Cobus airfield buses were previously purchased by MDAD through Resolution No. R-411-14. The capacity of those two are 112 passengers each. The purchase of two new Cobus airfield buses with the same capacity of 112 passengers each will increase operation efficiency by improving the time and efficient transportation of passengers in the event of an emergency. This is especially critical when considering new commercial airplanes have a maximum capacity of 582 seats.

ISD conducted market research to determine the availability of competition for the purchase of two, high-capacity airfield buses that met MDAD's requirements. It was concluded that Cobus Industries, LP was the only vendor that provided airfield buses with the required features. These features include three doublewide doors on each side and a flat, no-step floor that is leveled with the bus station curb height. According to the market research that was performed there were no other vendors that offered such features. Although ISD conducted market research, no reason was provided for not soliciting complete bids. A search of the Small Business Enterprise Certification list from ISD's web site shows no local vendors for this item.

According to the website aviationpros.com, Cobus airport buses are manufactured in serial production and include unique features as a complete low-floor interior, extra wide doors, all aluminum construction and a Mercedes engine/chassis package. Cobus airport buses can alleviate travel time between concourse-to-concourse connecting flights or for transportation to satellite terminals. There are approximately 3,000 Cobus airport buses in operation at 350 airports around the world, more than 125 in North America alone.

This link refers to the Cobus Airport Bus capability and world-wide usage.

<http://www.aviationpros.com/company/10017123/cobus-industries-lp>

Cobus Industries, LP has an active status on Sunbiz.org with a filing date of June 6, 2012.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directio=Initial&searchNameOrder=COBUSINDUSTRIES%20B120000001160&aggregateId=forlp-b12000000116-98a02f68-1700-40dc-bd07-bb50881d150d&searchTerm=Cobus%20Industries&listNameOrder=COBUSINDUSTRIES%20B120000001160>