



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

**Infrastructure and Capital Improvements**  
**Committee (ICI) Meeting**

June 11, 2019  
2:00 P.M.  
Commission Chambers

Yinka Majekodunmi, CPA  
Commission Auditor  
Office of the Commission Auditor (OCA)  
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Miami, FL 33128  
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**ICI Committee Meeting: June 11, 2019**  
**Research Notes**

**Item No. 1G2**  
**File No. 191065**

**Researcher: LE    Reviewer: TD**

ORDINANCE RELATING TO ZONING; AMENDING SECTION 33-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING EXCEPTION TO ZONING IMPROVEMENT PERMIT REQUIREMENT TO REPAIR CERTAIN FENCES DURING A LOCAL STATE OF EMERGENCY; MAKING TECHNICAL CHANGES; AMENDING SECTION 33-20 OF THE CODE; ALLOWING TEMPORARY USE OF RECREATIONAL VEHICLES FOR LIVING PURPOSES IN CONNECTION WITH A LOCAL STATE OF EMERGENCY UNDER CERTAIN CONDITIONS; CREATING SECTION 8B-19 OF THE CODE; PROVIDING CROSS-REFERENCES TO PROVISIONS OF THE ZONING CODE RELATING TO POST-DISASTER TEMPORARY ZONING RELIEF; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**ISSUE/REQUESTED ACTION**

Whether the Board amend Section 33-8.1 of the County Code, amend Section 33-20 of the Code, and create Section 8B-19 of the Code relating to zoning.

**PROCEDURAL HISTORY**

**Prime Sponsor: Rebeca Sosa, District 6**

**Department/Requester: Regulatory and Economic Resources**

This item was adopted on first reading during the May 7, 2019 BCC and is set for public hearing during the ICI meeting on June 11, 2019.

**ANALYSIS**

The purpose of this item is to amend Section 33-8.1 of the County Code to provide exceptions to Zoning Improvement Permit (ZIP) requirements; amend Section 33-20 to allow temporary use of recreational vehicles for living purposes in connection with a local state of emergency under certain conditions; and to create Section 8B-19 to provide cross-references to provisions of the zoning code related to post-disaster temporary zoning relief.

This item has no fiscal impact.

The proposed ordinance allows the County to establish temporary zoning-related relief for residential property owners in the event of a major disaster in unincorporated areas in connection with declaring a Local State of Emergency. Miami-Dade County residents' homes may experience damage by natural disasters and other emergencies. In Section 33-20, the Code prohibits using RVs for living purposes. The proposed ordinance would assist residents in providing temporary use of a recreational vehicle (RV) for living purposes on properties where the main residence is considered uninhabitable by the County, and repairs can be made to non-wind resistant fences on residential properties that require a ZIP without obtaining a new ZIP. After Hurricane Andrew in 1992, similar relief efforts were desired as FEMA trailers were used as temporary residences on residential, single-family lots while the original residential structures were being rebuilt.

Section 33-8.1 of the Code regulates non-wind-resistant fences. The proposed changes will allow repairs of non-wind resistant fences on residential properties that require a ZIP without obtaining a new ZIP if the repair consists of less than 50 percent of the linear feet of the ZIP-approved fence. The creation of Section 8B-19 will cross-reference the proposed changes in a centralized provision related to post-disaster zoning relief.

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The table below shows the original Section 33-8.1 of the Code of Miami-Dade County and the proposed changes. Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed.

Section 33-8.1 of the County Code	Proposed changes to Section 33-8.1 of the County Code
<p><b>Sec. 33-8.1. – Zoning Improvement Permit (ZIP).</b></p> <p>Certain buildings, structures, improvements and installations are exempted by the Florida Building Code from building permit issuance, but must otherwise comply with the minimum requirements of this chapter. Therefore, such buildings, structures, improvements and installations shall be subject to review under the Zoning Improvement Permit (ZIP) standards contained in this section, as well as the regulations of the underlying zoning district.</p> <p>The following buildings, structures, improvements and installations shall require a ZIP from the Department of Planning and Zoning:</p> <p>Above ground pools that contain water over 24 inches deep;</p> <p>Agricultural/farm buildings and non-habitable structures on bona fide farms;</p> <p>Canopy carports, canopy and other fabric covered framework installed on residential properties;</p> <p>Chickee huts constructed by Miccosukee or Seminole Indians;</p> <p>Chain link fences, picket fences, ornamental iron fences and other fences installed on residential property that are deemed non-wind resistant; provided, however, any pool safety barrier fence and any fence with concrete columns shall require a building permit; Decorative reflective pools and fishponds that contain water less than 24 inches deep, that contain less than 250 square feet in area, and contain less than 2,250 gallons in volume;</p> <p>Decorative garden-type water fountains;</p>	<p><b>Sec. 33-8.1. – Zoning Improvement Permit (ZIP).</b></p> <p>&gt;&gt;(a)&lt;&lt; Certain buildings, structures, improvements and installations are exempted by the Florida Building Code from building permit issuance, but must otherwise comply with the minimum requirements of this chapter. Therefore, such buildings, structures, improvements and installations shall be subject to review under the Zoning Improvement Permit (ZIP) standards contained in this section, as well as the regulations of the underlying zoning district.</p> <p>&gt;&gt;(b)&lt;&lt; The following buildings, structures, improvements and installations shall require a ZIP from the Department of Planning and Zoning:</p> <p>&gt;&gt;(1)&lt;&lt; Above ground pools that contain water over 24 inches deep;</p> <p>&gt;&gt;(2)&lt;&lt; Agricultural/farm buildings and non-habitable structures on bona fide farms;</p> <p>&gt;&gt;(3)&lt;&lt; Canopy carports, canopy and other fabric covered framework installed on residential properties;</p> <p>&gt;&gt;(4)&lt;&lt; Chickee huts constructed by Miccosukee or Seminole Indians;</p> <p>&gt;&gt;(5)&lt;&lt; Chain link fences, picket fences, ornamental iron fences and other fences installed on residential property that are deemed non-wind resistant; provided, however, any pool safety barrier fence and any fence with concrete columns shall require a building permit;</p> <p>&gt;&gt;(6)&lt;&lt; Decorative reflective pools and fishponds that contain water less than 24 inches deep, that contain less than 250 square feet in area, and contain less than 2,250 gallons in volume;</p>

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Parking lot refurbishing - resurfacing, re-stripping or seal coating, and paving and drainage of existing parking lots;

Signs - balloon type;

Signs - painted wall type;

Signs - stick on letter type.

The director of the Department shall have the authority to require ZIP review for other buildings, structures, improvements and installations that are newly created or come about by changes in the state or local building codes.

In the event any portion of the subject property is contiguous to or across the street from a municipal boundary, applicant shall submit a boundary survey performed in accordance with Chapter 61G17-6.0031, Florida Administration Code.

The submittal of plans shall be necessary to fully advise and acquaint the issuing Department with the location and use of the buildings, structures, improvements and installations, and such plans must accompany the application for a ZIP. The respective Directors of the Department of Public Works, Department of Environmental Resources Management, Miami-Dade County Fire Rescue Department and Department of Planning & Zoning shall review the submitted plans only to the extent of their respective jurisdiction under the Code of Miami-Dade County. In the event there is a question as to the legality of a use, the Director may require affidavits and such other information as may be deemed appropriate or necessary to establish the legality of the use, before a ZIP permit is issued.

>>(7)<< Decorative garden-type water fountains;

>>(8)<< Parking lot refurbishing - resurfacing, re-stripping or seal coating, and paving and drainage of existing parking lots;

>>(9)<< Signs - balloon type;

>>(10)<< Signs - painted wall type;

>>(11)<< Signs - stick on letter type.

>>(c)<< The director of the Department shall have the authority to require ZIP review for other buildings, structures, improvements and installations that are newly created or come about by changes in the state or local building codes.

>>(d)<< In the event any portion of the subject property is contiguous to or across the street from a municipal boundary, applicant shall submit a boundary survey performed in accordance with Chapter 61G17-6.0031, Florida ~~Administration~~ Code.

>>(e)<< The submittal of plans shall be necessary to fully advise and acquaint the issuing Department with the location and use of the buildings, structures, improvements and installations, and such plans must accompany the application for a ZIP. The respective Directors of the Department of Public Works, Department of Environmental Resources Management, Miami-Dade County Fire Rescue Department and Department of Planning & Zoning shall review the submitted plans only to the extent of their respective jurisdiction under the Code of Miami-Dade County >>.<< In the event there is a question as to the legality of a use, the Director may require affidavits and such other information as may be deemed appropriate or necessary to establish the legality of the use, before a ZIP permit is issued.

>>(f) Notwithstanding any other limitations imposed by the Code, a ZIP shall not be required to repair a ZIP-approved fence, provided that all of the following conditions are satisfied:

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|  | <p>(1) <u>A Local State of Emergency declared in accordance with section 8B-6(1) of the Code remains in effect and the disaster for which the Local State of Emergency was declared has ceased;</u></p> <p>(2) <u>The repaired portion of the fence covers less than 50 percent of the linear feet of the ZIP-approved fence;</u></p> <p>(3) <u>The repaired fence is in the same location as the ZIP-approved fence, is the same height as the ZIP-approved fence, and is made of the same material as the ZIP-approved fence; and</u></p> <p>(4) <u>The repaired fence complies with section 33-35 of the Code (Nonconforming Lots, Uses and Structures), if applicable. &lt;&lt;</u></p> |
|--|---|

The table below shows the original Section 33-20 of the Code of Miami-Dade County and the proposed changes. Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed.

Section 33-20 of the County Code	Proposed changes to Section 33-20 of the County Code
<p><b>Sec. 33-20. – Accessory buildings; utility sheds; swimming pools; fallout shelters; boat storage; decorative elements.</b></p>	<p><b>Sec. 33-20. – Accessory buildings; utility sheds; swimming pools; fallout shelters; boat storage; decorative elements.</b></p> <p style="text-align: center;">* * *</p> <p>&gt;&gt;(m) <u>Notwithstanding any other limitations imposed by the Code, the temporary use of an RV for living purposes is allowed provided that all of the following conditions are satisfied:</u></p> <p>(1) <u>A Local State of Emergency has been declared in accordance with section 8B-6(1) of the Code and the disaster for which the Local State of Emergency was declared has ceased;</u></p> <p>(2) <u>The RV is placed on a property where the principal residence (including a mobile home) has been deemed by County staff as uninhabitable as a result of the</u></p>

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	<p><u>disaster for which the Local State of Emergency was declared;</u></p> <p><u>(3) The RV is not parked or stored, and does not encroach, on any right-of-way;</u></p> <p><u>(4) The RV is fully licensed and ready for highway use; and</u></p> <p><u>(5) A Temporary Certificate of Use (TCU) has been obtained prior to using the RV for living purposes. Any TCU shall be valid for 120 days. The Department may reissue a TCU for an additional 120 days if there is evidence that there is progress with the repairs to the principal residence. Notwithstanding sub-section (1) of this sub-section (m), a valid TCU issued under this sub-section (m) shall be valid even if the Local State of Emergency that triggered the applicability of this section is no longer in effect.&lt;&lt;</u></p>
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The table below shows the creation of Section 8B-19 of the Code of Miami-Dade County. Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed.

<b>Creation of Section 33-20 of the County Code</b>
<p><b>Sec. 8B-19. – Post-Disaster Temporary Zoning Relief.</b></p> <p>&gt;&gt;<u>For post-disaster temporary zoning relief in unincorporated Miami-Dade County in connection with a Local State of Emergency, see Code, sections 33-8.1 (repairing fences), 33-20 (use of RVs for living purposes), 33-247 (outdoor sales at home improvement centers), and 33-259 (outdoor sales at home improvement warehouses).</u>&lt;&lt;</p>

**APPLICABLE LEGISLATION/POLICY**

**Section 33-8.1 of the Miami-Dade County Code** relates to the Zoning Improvement Permit (ZIP) which requires certain buildings, structures, improvements, and installations to have ZIP from the Department of Planning and Zoning. [https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR\\_CH33ZO\\_ARTIINGE\\_S33-8.1ZOIMPEZI](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH33ZO_ARTIINGE_S33-8.1ZOIMPEZI)

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**Section 33-20 of the Miami-Dade County Code** refers to regulations regarding accessory buildings, utility sheds, swimming pools, fallout shelters, boat storage, and decorative elements.

[https://library.municode.com/fl/miami -  
dade county/codes/code of ordinances?nodeId=PTIICOOR CH33ZO ARTIINGE S33-  
20ACBUUTSHSWPOFASHBOSTDEEL](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH33ZO_ARTIINGE_S33-20ACBUUTSHSWPOFASHBOSTDEEL)

**Section 39-260 of the Broward County Code** states that recreational vehicles shall not be used for living purposes.

[https://library.municode.com/fl/broward county/codes/code of ordinances?nodeId=PTIICOOR  
CH39ZO ARTXVRUESDI S39-260GEPR](https://library.municode.com/fl/broward-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH39ZO_ARTXVRUESDI_S39-260GEPR)



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**Research Notes**

**Item No. 3A**  
**File No. 191410**

**Researcher: JFP Reviewer: TD**

RESOLUTION APPROVING THE TERMS OF A COLLOCATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, FOR THE PREMISES LOCATED AT 1001 NW 111 AVENUE, MIAMI, FLORIDA TO BE UTILIZED BY THE TRANSPORTATION AND PUBLIC WORKS DEPARTMENT, TRAFFIC SIGNALS AND SIGNS DIVISION, WITH A TOTAL FISCAL IMPACT TO THE COUNTY ESTIMATED TO BE \$251,517.15 FOR A FIVE-YEAR TERM; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAID AGREEMENT, TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN, AND TO PERFORM ALL ACTS NECESSARY TO EFFECTUATE SAME

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize a Collocation Agreement between the State of Florida's Department of Transportation (State) and the County on behalf of the Department of Transportation and Public Works (DTPW) for property located in District 12 to operate as a SunGuide Transportation Management Center, with a total fiscal impact to the County estimated to be \$251,517.15 for a term of five years.

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Jose "Pepe" Diaz, District 12**

**Department/Requester: Internal Services Department (ISD)**

This item has no procedural history.

**ANALYSIS**

The purpose of this item is to authorize a Collocation Agreement allowing the County to use a total of 695.2 square feet of office space within the SunGuide Transportation Management Center (Center) for a five-year term for the purpose of facilitating efficient coordination of traffic management with those entities responsible for the operation and management of the highway and freeway systems within the County: The Florida Department of Transportation (FDOT), the Miami-Dade Expressway Authority (MDX), and Florida Turnpike Enterprise (FTE).

These listed entities all have offices in the Center, located at 1001 NW 111 Avenue, whereas the County's Department of Transportation and Public Works (DTPW) currently operates its Traffic Control Center at 7100 NW 36 Street. Per the agreement, DTPW's Traffic Signals and Signs Division will occupy room 230, which has a total floor space of 516 square feet, to house Traffic Operations staff and 179.2 square feet in room 112 to house County computer servers that will support the County's traffic signal professionals.

The relocation will have a total fiscal impact of \$251,517.15 for the duration of the agreement. The cost for the initial year of the agreement, estimated to be \$34,303.43, reflects an approximate rental rate of \$49.34 per square foot and operating expenses. The County's share of the Center's operations and maintenance costs is calculated by multiplying the percent of office occupied by DTPW by the Center's FY 2016 operations and maintenance costs, including costs such as, but not limited to, electric, water, maintenance, and janitorial services. The annual payment rates are fixed for the original five year term of the agreement. The State is responsible for all costs associated with the installation of flooring, ceiling tiles, and heating, ventilation, and air conditioning (HVAC) ducts to room 230 while the County is responsible for the costs of upgrading power outlets and communication network drops at an estimated cost of \$80,000.

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**File No. 191410**

**Researcher: JFP Reviewer: TD**

**APPLICABLE LEGISLATION/POLICY**

N/A

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**Item No. 3D**  
**File No. 191379**

**Researcher: JFP Reviewer: TD**

RESOLUTION RESCINDING ADMINISTRATIVE ORDER 4-120 ON BUILDING PERMIT PROCESS ALTERNATIVES; APPROVING IMPLEMENTING ORDER 4-120 ON BUILDING PERMIT PROCESS ALTERNATIVES; UPDATING TERMS AND DEPARTMENT NAMES AND ADDING THE WORKFORCE HOUSING, AFFORDABLE HOUSING AND PACE EXPEDITED PLAN REVIEW PROGRAMS

**ISSUE/REQUESTED ACTION**

Whether the Board should rescind Administrative Order 4-120 and approve Implementing Order 4-120 on building permit process alternatives, consolidating previously approved Board actions related to expedited plan review programs for Workforce Housing, Affordable Housing, and Property Assessment Clean Energy (PACE) projects among others.

**PROCEDURAL HISTORY**

**Co-Prime Sponsors: Chairwoman Audrey M. Edmonson, District 3,**  
**Commissioner Daniella Levine Cava, District 8**  
**Department/Requester: Regulatory and Economic Resources**

This item has no procedural history.

**ANALYSIS**

The purpose of this item is to consolidate previously approved Board actions related to expedited plan review programs for Workforce Housing, Affordable Housing, and Property Assessment Clean Energy (PACE) projects, among others, into Implementing Order (IO) 4-120, in effect rescinding Administrative Order (AO) 4-120 and formalizing building permit processes already being utilized by the Department of Regulatory and Economic Resources (RER). The adoption of this Implementing Order has no fiscal impact.

The Implementing Order adds the environmental plan review to the optional expedited plan review process, formalizes that each of the departments involved in the development process will expedite the review of plans submitted for workforce housing, affordable housing projects and PACE projects upon written request of the applicant, and establishes the conditions which must be satisfied to merit expedited plan review.

The below table depicts Administrative Order No. 4-120 and contrasts it with newly created Implementing Order No. 4-120, with underlined words denoting the changes proposed and words stricken through specifying deletions.

Administrative Order No. 4-120	Implementing Order No. 4-120
<p><b>Administrative Order No.: 4-120</b>  <b>Title:</b> Building Permit Process Alternatives  <b>Ordered:</b> 6/7/05      <b>Effective:</b> 6/17/05</p> <p><b>AUTHORITY:</b></p> <p>Section 4.02 of the Miami-Dade County Home Rule Amendment and Charter, Sections 2-1266 and 8-6 of</p>	<p><del>Administrative</del> <b><u>Implementing</u></b> Order No.: 4-120  <b>Title:</b> Building Permit Process Alternatives  <b>Ordered:</b> 6/7/05      <b>Effective:</b> 6/17/05</p> <p><b>AUTHORITY:</b></p> <p>Section 4 <del>5</del>.02 of the Miami-Dade County Home Rule Amendment and Charter, Sections 2-1266 and 8-6 <del>and</del></p>

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the Code of Miami-Dade County and Section 553.791 of the Florida Statutes.

**SUPEREDES:**

This Administrative Order supersedes Administrative Order 4-120 ordered September 24, 2002 and effective October 4, 2002.

**POLICY:**

It shall be the policy of Miami-Dade County (the County) to offer alternatives to the building permit process described in Administrative Order No. 4-115 to facilitate the timely issuance of building permits as provided for in the Florida Building Code, Florida Statutes and the Code of Miami-Dade County. These Alternatives shall include the alternative plans review and inspection process established under Section 553.791 of the Florida Statutes, an optional expedited plan review program and an expedited plan review program for green buildings to promote environmentally sensitive design and construction. This Administrative Order provides for those aspects of the County's alternative plans review and inspection process not specifically prescribed under Section 553.791 of the Florida Statutes, establishes the optional expedited plan review program and establishes the expedited plan review program for green buildings.

**DEFINITIONS:**

Unless otherwise specified in the Florida Statutes, the definition of words and terms used in this Administrative Order shall be as defined in Section 553.791 of the Florida Statutes and the Florida Building Code.

**PERMITTING PROCESS:**

Under the provisions of Section 553.791 of the Florida Statutes, the fee owner of a building may use a private provider to provide building code inspection services with regard to such building. This expedited permitting process shall be an alternative to the permit process involving plans review and inspection by the Building

8-8.1 of the Code of Miami-Dade County and Section 553.791 of the Florida Statutes.

**SUPEREDES:**

This ~~Administrative~~ Implementing Order supersedes Administrative Order 4-120 ordered ~~September 24, 2002~~ June 7, 2005, and effective ~~October 4, 2002~~ June 17, 2005.

**POLICY:**

It shall be the policy of Miami-Dade County (the County) to offer alternatives to the building permit process described in Administrative Order No. 4-115 to facilitate the timely issuance of building permits as provided for in the Florida Building Code, Florida Statutes and the Code of Miami-Dade County. These Alternatives shall include the alternative plans review and inspection process established under Section 553.791 of the Florida Statutes, an optional expedited plan review program and an expedited plan review program for ~~gGreen bBuildings~~ to promote environmentally sensitive design and construction, an expedited plan review program for developments including workforce housing units and affordable housing projects and an expedited plan review for improvements under the Property Assessment Clean Energy (PACE) program. This ~~Administrative~~ Implementing Order provides for those aspects of the County's alternative plans review and inspection process not specifically prescribed under Section 553.791 of the Florida Statutes, establishes the optional expedited plan review program, ~~and~~ establishes the expedited plan review program for ~~gGreen bBuildings~~, establishes the expedited plan review program for developments including workforce housing units and affordable housing projects and an expedited plan review for improvements under the Property Assessment Clean Energy (PACE) Program.

**DEFINITIONS:**

Unless otherwise specified in the Florida Statutes, the definition of words and terms used in this ~~Administrative~~ Implementing Order shall be as defined

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Department, and is not intended to affect the permit review, approval and inspection process which may be performed by operation of this Code by other County departments, including, but not limited to the Department of Environmental Resources Management, Planning and Zoning, Fire, Water and Sewer or Public Works. Nothing in this Administrative Order shall be construed to impair any review mandated by Federal or State law. Participation in this alternative plans review and inspection process shall not relieve the owner, design professional, private provider, or contractor from any of their respective responsibilities for compliance with the Florida Building Code. No approval or certification by a private provider of non-code compliant construction shall be deemed a waiver of any of the requirements of the Building Code.

Upon receipt of a complete application, the plans and application shall be reviewed by other County departments having jurisdiction. Following all required approvals, the Building Official shall stamp the plans "Permit Issued by Affidavit" and return the job copy to the applicant together with the permit for construction within the timeframes established under State law following submission of a complete permit application. Applicants shall be notified of a rejected submission. A permit application may be resubmitted to the Building Department by the applicant after any rejection when all required information has been compiled.

The Building Official shall accept a properly completed application, and authorize the construction without further examination or inspection subject to the quality control provisions of this Administrative Order. Applicants who file under this alternative plan review and inspection process cannot subsequently request plan examination, approval or inspection under the same permit application, but may request cancellation of the permit. Upon such cancellation, the permit applicant may file a new permit application which shall be treated as an application for a new permit, subject to all applicable requirements for fees, plans review, examination and inspection. Applicants may also request in writing, in forms to be developed for this purpose, the interpretation or reconsideration of an issue related to the Building Code or any technical codes in

in Section 553.791 of the Florida Statutes and the Florida Building Code.

**PERMITTING PROCESS:**

Under the provisions of Section 553.791 of the Florida Statutes, the fee owner of a building may use a private provider to provide building code inspection services with regard to such building. This expedited permitting process shall be an alternative to the permit process involving plans review and inspection by the Building ~~Department~~ Official, and is not intended to affect the permit review, approval and inspection process which may be performed by operation of this Code by other ~~County departments~~ regulatory entities, including, but not limited to the ~~Department~~ Division of Environmental Resources Management of the Department of Regulatory and Economic Resources (RER), Planning and Zoning and Planning Review, Miami-Dade Fire-Rescue Department, Miami-Dade Water and Sewer Department or the Department of Transportation and Public Works. Nothing in this ~~Administrative~~ Implementing Order shall be construed to impair any review mandated by Federal or State law. Participation in this alternative plans review and inspection process shall not relieve the owner, design professional, private provider, or contractor from any of their respective responsibilities for compliance with the Florida Building Code. No approval or certification by a private provider of non-code compliant construction shall be deemed a waiver of any of the requirements of the Building Code.

Upon receipt of a complete application, the plans and application shall be reviewed by other County departments having jurisdiction. Following all required approvals, the Building Official shall stamp the plans "Permit Issued by Affidavit" and return the job copy to the applicant together with the permit for construction within the timeframes established under State law following submission of a complete permit application. Applicants shall be notified of a rejected submission. A permit application may be resubmitted to the Building ~~Department~~ Official by the applicant after any rejection when all required information has been compiled.

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advance of filing the application. Such interpretation may be rendered by the responsible official, in writing, and a copy of the same will become part of the application. The Building Official shall be authorized to establish a fee to defray the cost of these services.

Any and all amendments to the permit application and related constructed documents must be submitted to the Building Department, and certified. For good cause shown, the Building Official may permit the substitution of any private provider or any person performing examination or inspection services, provided that the substitute person also satisfies the requirements of State law and this Administrative Order and an amendment to the permit application is properly filed.

The private provider performing required inspections shall provide notice to the Building Official of the date and approximate time of such inspection no later than 2 p.m. local time the prior business day. Inspections performed by inspectors qualified pursuant to this Section shall be recorded in a form acceptable to the Building Official. Such inspection records shall reflect all inspections performed, including the mandatory inspections required by the Building Code. The inspection records shall be maintained at the job site, and in the files of the private provider, available for review and inspection by the Building Official. The private provider shall immediately report to the Building Official: (1) any condition which poses an immediate threat to the safety of persons or property; or (2) the presence of any known violation of the Building Code which the contractor has failed or refused to correct.

For threshold buildings, the private provider shall be responsible for compliance with the requirements of Section 553.79 of the Florida Statutes, including the performance of inspections by or through a person qualified as a special inspector, and submission of the required written reports to the Building Official.

**REGISTRATION PROCESS:**

The Building Official shall accept a properly completed application, and authorize the construction without further examination or inspection subject to the quality control provisions of this ~~Administrative~~ Implementing Order. Applicants who file under this alternative plan review and inspection process cannot subsequently request plan examination, approval or inspection under the same permit application, but may request cancellation of the permit. Upon such cancellation, the permit applicant may file a new permit application which shall be treated as an application for a new permit, subject to all applicable requirements for fees, plans review, examination and inspection. Applicants may also request in writing, in forms to be developed for this purpose, the interpretation or reconsideration of an issue related to the Building Code or any technical codes in advance of filing the application. Such interpretation may be rendered by the responsible official, in writing, and a copy of the same will become part of the application. The Building Official shall be authorized to establish a fee to defray the cost of these services.

Any and all amendments to the permit application and related constructed documents must be submitted to the Building ~~Department~~ Official, and certified. For good cause shown, the Building Official may permit the substitution of any private provider or any person performing examination or inspection services, provided that the substitute person also satisfies the requirements of State law and this ~~Administrative~~ Implementing Order and an amendment to the permit application is properly filed.

The private provider performing required inspections shall provide notice to the Building Official of the date and approximate time of such inspection no later than 2 p.m. local time the prior business day. Inspections performed by inspectors qualified pursuant to this Section shall be recorded in a form acceptable to the Building Official. Such inspection records shall reflect all inspections performed, including the mandatory inspections required by the Building Code. The inspection records shall be maintained at the job site, and in the files of the private provider, available for review and inspection by the Building Official. The



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**Research Notes**

**Item No. 3D**

**File No. 191379**

**Researcher: JFP Reviewer: TD**

The Building Code Compliance Office shall register all architects, engineers and individuals certified under part XII of Chapter 468 of the Florida Statutes who apply to participate in the alternative plans review and inspection process under their specific discipline. The Building Code Compliance Office shall implement an on-line automated information system to provide building departments with instant notification regarding the status of any registered person in order to facilitate the issuance of permits under the alternative plans review and inspection process.

As a condition of registration, participating individuals shall provide to the Chief Building Code Compliance Officer, on forms to be developed for this purpose, proof of an active license as an architect under Part 1 of Chapter 481 of the Florida Statutes, an engineer under Chapter 471 of the Florida Statutes or inspector holding a standard certificate under part XII of Chapter 468 of the Florida Statutes. In addition, as a condition of registration, proof of insurance for professional and comprehensive general liability as required by State law must also be submitted.

The Director of the Building Department may suspend or exclude an owner, permit applicant, contractor, private provider or duly authorized representative from participating in the alternative plans review and inspection process established under Section 553.791 of the Florida Statutes for due cause. The decisions of the Building Department Director shall be final, subject only to appeal to the Board of Rules and Appeals of Miami-Dade County, within thirty days of rendition of the decision. Written notice of a decision to suspend or exclude such person shall be given to the affected person by the Building Department Director and a copy of such notice shall be provided to the Building Code Compliance Office. In addition, the Building Official shall notify the Building Code Compliance Office of the referral of any complaint to the state board by the Building Department Director against any private provider.

**QUALITY CONTROL:**

private provider shall immediately report to the Building Official: (1) any condition which poses an immediate threat to the safety of persons or property; or (2) the presence of any known violation of the Building Code which the contractor has failed or refused to correct.

For threshold buildings, the private provider shall be responsible for compliance with the requirements of Section 553.79 of the Florida Statutes, including the performance of inspections by or through a person qualified as a special inspector, and submission of the required written reports to the Building Official.

**REGISTRATION PROCESS:**

The ~~Building Code Compliance Office~~ Board and Code Administration Division of the RER Department shall register all architects, engineers and individuals certified under part XII of Chapter 468 of the Florida Statutes who apply to participate in the alternative plans review and inspection process under their specific discipline. The ~~Building Code Compliance Office~~ Board and Code Administration Division shall implement an on-line automated information system to provide building departments with instant notification regarding the status of any registered person in order to facilitate the issuance of permits under the alternative plans review and inspection process.

As a condition of registration, participating individuals shall provide to the ~~Chief Building Code Compliance Officer~~ Board and Code Administration Division, on forms to be developed for this purpose, proof of an active license as an architect under Part 1 of Chapter 481 of the Florida Statutes, an engineer under Chapter 471 of the Florida Statutes or inspector holding a standard certificate under part XII of Chapter 468 of the Florida Statutes. In addition, as a condition of registration, proof of insurance for professional and comprehensive general liability as required by State law must also be submitted.

The ~~Director of the Building Department~~ Building Official may suspend or exclude an owner, permit applicant, contractor, private provider or duly

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The County, through its officials entrusted with the responsibility of performing plans review, shall perform audit reviews of at least 20% of all plans submitted through the alternative plans review and inspection process within thirty (30) days of permit issuance. The review will represent a random sample of construction types, prioritized based on public safety impact and anticipated completion date of construction. The review will place primary emphasis on the following issues: structural integrity, fire and occupant safety, egress requirements, sanitary facilities and access to persons with disabilities.

The County, through its officials entrusted with the responsibility of performing building inspections, shall perform quality assurance inspections representing up to 50% of all inspections identified in the Building Code as mandatory. The quality assurance inspections will be performed to determine job progress, compliance with approved permit documents, and violations, if any, of the Building Code. The inspections will represent a random sample of construction types, placing primary emphasis on foundation, framing and accessibility inspections. The inspections performed by the Building Department shall be for quality assurance purposes only, and shall not relieve the private providers of any obligation to perform the inspections and issue the certifications provided by law.

**FEES:**

The fees to be charged for the services provided under the alternative plans review and inspection process shall be in accordance with the fee schedule for the Building Department authorized by the Board of County Commissioners.

**OPTIONAL EXPEDITED PLAN REVIEW PROGRAM:**

An optional expedited plan review program has been established in the Building Department as an additional permitting process alternative. This expedited plan review program is not available to permit applicants who opt to participate in the alternative plans review and inspection process established under State law.

authorized representative from participating in the alternative plans review and inspection process established under Section 553.791 of the Florida Statutes for due cause. The decisions of the Building ~~Department Director~~ Official shall be final, subject only to appeal to the Board of Rules and Appeals of Miami-Dade County, within thirty days of rendition of the decision. Written notice of a decision to suspend or exclude such person shall be given to the affected person by the Building ~~Department Director~~ Official and a copy of such notice shall be provided to the ~~Building Code Compliance Office~~ Board and Code Administration Division of RER. In addition, the Building Official shall notify the ~~Building Code Compliance Office~~ Board and Code Administration Division of the referral of any complaint to the ~~sState bBoard~~ by the Building ~~Department Director~~ Official against any private provider.

**QUALITY CONTROL:**

The County, through its officials entrusted with the responsibility of performing plans review, shall perform audit reviews of at least 20% of all plans submitted through the alternative plans review and inspection process within thirty (30) days of permit issuance. The review will represent a random sample of construction types, prioritized based on public safety impact and anticipated completion date of construction. The review will place primary emphasis on the following issues: structural integrity, fire and occupant safety, egress requirements, sanitary facilities and access to persons with disabilities.

The County, through its officials entrusted with the responsibility of performing building inspections, shall perform quality assurance inspections representing up to 50% of all inspections identified in the Building Code as mandatory. The quality assurance inspections will be performed to determine job progress, compliance with approved permit documents, and violations, if any, of the Building Code. The inspections will represent a random sample of construction types, placing primary emphasis on foundation, framing and accessibility inspections. The inspections performed by the ~~Building~~ RER Department shall be for quality assurance



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Under the program, the permit applicant has the option to request an expedited plan review in any one or more of the construction disciplines for applications of qualified projects, as determined by the Building Department Director, at an additional cost as established in the Department's fee schedule. The permit applicant will pay expedited plan review costs up front at the time the request for the service is made. The fees paid for the expedited plan review services will be in addition to regular permit fees and are non-refundable.

Plan reviews under the program will be performed by the Building Department staff. The Department will contract with plan review staff to perform plan review services after normal business hours and on weekends. Under the program, a separate review will be conducted in each of the following disciplines:

- Building (inclusive of Accessibility)
- Structural
- Mechanical (inclusive of Energy)
- Electrical
- Plumbing
- Roofing

**EXPEDITED PLAN REVIEW PROGRAM FOR GREEN BUILDINGS**

An expedited plan review program for green buildings has been established to ensure the timely processing of permit applications and review of plans by each of the County departments listed in Administrative Order No. 4-115 having responsibility for the review of residential and commercial construction. Upon written request of the permit applicant, each reviewing department shall expedite the review of plans submitted for green buildings, provided the request to expedite meets all of the following conditions:

1. The expediting will be limited to the new construction of residential, commercial and industrial projects. Additions, alterations, repairs and the new construction of accessory structures are not eligible for expedited treatment.

purposes only, and shall not relieve the private providers of any obligation to perform the inspections and issue the certifications provided by law.

**FEES:**

The fees to be charged for the services provided under the alternative plans review and inspection process shall be in accordance with the fee schedule for the Building Department of Regulatory and Economic Resources authorized by the Board of County Commissioners.

**OPTIONAL EXPEDITED PLAN REVIEW PROGRAM:**

An optional expedited plan review program has been established in the Building Department of Regulatory and Economic Resources as an additional permitting process alternative. This expedited plan review program is not available to permit applicants who opt to participate in the alternative plans review and inspection process established under State law. Under the program, the permit applicant has the option to request an expedited plan review in any one or more of the construction disciplines for applications of qualified projects, as determined by the Building ~~Department~~ Director Official, at an additional cost as established in the Department's fee schedule. The permit applicant will pay expedited plan review costs up front at the time the request for the service is made. The fees paid for the expedited plan review services will be in addition to regular permit fees and are non-refundable.

Plan reviews under the program will be performed by the Building RER Department staff. The Department will contract with plan review staff to perform plan review services after normal business hours and on weekends. Under the program, a separate review will be conducted in each of the following disciplines:

- Building (inclusive of Accessibility)
- Structural
- Mechanical (inclusive of Energy)
- Electrical
- Plumbing

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**Researcher: JFP Reviewer: TD**

2. The applicant submits at the time of the filing of the permit application an original or certified copy of a letter from the Florida Green Building Coalition or the United States Green Building Council indicating that the design has been registered or certified as a green building by the organization.
3. The project has a dollar value of \$50,000.00 or more.

This Administrative Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

George M. Burgess  
County Manager

- Roofing
- Environmental Plan Review

**EXPEDITED PLAN REVIEW PROGRAM FOR GREEN BUILDINGS**

An expedited plan review program for gGreen bBuildings has been established to ensure the timely processing of permit applications and review of plans by each of the County departments listed in Administrative Order No. 4-115 having responsibility for the review of residential and commercial construction. Upon written request of the permit applicant, each reviewing department shall expedite the review of plans submitted for gGreen bBuildings, provided the request to expedite meets all of the following conditions:

1. The expediting will be limited to the new construction of residential, commercial and industrial projects. Additions, alterations, repairs and the new construction of accessory structures are not eligible for expedited treatment.
2. The applicant submits at the time of the filing of the permit application an original or certified copy of a letter from the Florida Green Building Coalition or the United States Green Building Council indicating that the design has been registered or certified as a gGreen bBuilding by the organization.
3. The project has a dollar value of \$50,000.00 or more.

**EXPEDITED PLAN REVIEW PROGRAM FOR WORKFORCE AND AFFORDABLE HOUSING:**

An expedited plan review program for developments inducting workforce housing units and affordable housing projects has been established to ensure the timely processing of permit applications and review of plans by each of the County departments listed in Administrative Order No. 4-115 having responsibility for the review of residential and commercial construction plans.

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Upon written request of the permit applicant, each reviewing department shall expedite the review of plans submitted for developments including workforce housing units and affordable housing projects, provided the request to expedite meets all of the following conditions:

WORKFORCE HOUSING

1. Expedited plan review treatment will be limited to the new construction of developments or projects providing workforce housing units.
2. The term workforce housing unit shall be construed to mean a Jiving unit intended for sale to individuals or household\$ whose income is within the workforce housing target income range as defined in Chapter 33 of the Code of Miami-Dade County.
3. The applicant submits at the time of the filing of the permit application a written request for expedited plan review and copy of the Housing Agreement and Declaration of Restriction.

AFFORDABLE HOUSING

1. Expedited plan review treatment will be limited to the new construction of affordable housing.
2. The term affordable housing shall be defined as housing which is intended for sale or rental to persons or families whose total household income is at or below 40 percent of the area median income (AMI).
3. The applicant submits at the time of the filing of the permit application a written request for expedited plan review and an original or certified copy of a Miami-Dade County funding award letter or letter documenting final award of State of Florida tax credits.

EXPEDITED PLAN REVIEW PROGRAM FOR PROPERTY ASSESSMENT CLEAN ENERGY (PACE) PROGRAM

**ICI Committee Meeting: June 11, 2019**  
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**Researcher: JFP Reviewer: TD**

An expedited plan review program for improvements to real properties associated with the PACE Program has been established to ensure the timely processing of permit applications and review of plans by each of the County departments listed in Administrative Order No. 4-115 having responsibility for the review of residential and commercial construction plans. Upon written request of the permit applicant, each reviewing department shall expedite the review of plans submitted provided the permit applicant submits a copy of Notice to Proceed from the PACE Provider approving the work to be completed under the PACE Program.

This Administrative Implementing Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

George M. Burgess Carlos A. Gimenez  
County Manager Mayor

Approved by County Attorney as  
To form and legal sufficiency.

**APPLICABLE LEGISLATION/POLICY**

**Section 553.791, Florida Statutes** governs alternative plans review and inspection related to building construction standards.

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=553.791&URL=0500-0599/0553/Sections/0553.791.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=553.791&URL=0500-0599/0553/Sections/0553.791.html)

**Administrative Order 4-120** relates to professional certification and the establishment of alternative plans review processes governed by Section 553.791 of the Florida Statutes.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO4-120.pdf>

**Ordinance No. 05-115** creating program for expedited review and approval of building permit applications for Green Building projects.

<http://intra/gia/matter.asp?matter=052225&file=false&yearFolder=Y2005>

**Ordinance No. 08-51** readopts the Workforce Housing Development Program ordinance that previously sunsetted.

<http://intra/gia/matter.asp?matter=081263&file=true&yearFolder=Y2008>

**Resolution No. R-347-09** adopts amendment to the Local Housing Assistance Plan incorporating the Affordable Housing Advisory Board's recommendations to encourage or facilitate the development of affordable housing.

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<http://intra/gia/matter.asp?matter=091089&file=false&yearFolder=Y2009>

**Resolution No. 879-15** directed the Mayor to promote and encourage the use of the County's expedited plan review program for green buildings, develop a marketing strategy, and provide a report to the Board detailing those efforts; directed the Mayor to provide annual reports to the Board related to the green building expedited plan review program  
<http://intra/gia/matter.asp?matter=151864&file=true&yearFolder=Y2015>

**Resolution No. R-324-16** directed the County Mayor to develop, negotiate and present agreements with Property Assessment Clean Energy (PACE) providers to the Board; established policy for the County with respect to Property Assessment Clean Energy; cancelled the request for a competitive solicitation for a Property Assessment Clean Energy program; and directed the County Mayor to prepare a report on how to expedite PACE related permits.  
<http://intra/gia/matter.asp?matter=160764&file=true&yearFolder=Y2016>

**ICI Committee Meeting: June 11, 2019**  
**Research Notes**

**Item No. 3G**  
**File No. 191321**

**Researcher: IL Reviewer: TD**

RESOLUTION APPROVING AN AIR POLLUTION CONTROL SPECIFIC OPERATING AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND MIAMI-DADE COUNTY FOR COOPERATIVE AIR POLLUTION CONTROL PROGRAM MANAGEMENT IN MIAMI-DADE COUNTY; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SPECIFIC OPERATING AGREEMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AMENDMENTS TO THIS AGREEMENT FOR TIME EXTENSION AND TO EXERCISE THE CANCELLATION AND RENEWAL PROVISIONS CONTAINED HEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve an agreement between Miami-Dade County ("The County") and the Florida Department of Environmental Protection (FDEP) to provide for cooperative air pollution control by which FDEP delegates to Miami-Dade County certain permit functions that are typically done by FDEP.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Requestor/Department: Regulatory and Economic Resources**

This item has no procedural history at this time

**ANALYSIS**

The purpose of this item is to establish an agreement between the County and FDEP to provide cooperative air pollution control management within Miami-Dade County. The original operating agreement between Miami-Dade County and FDEP was signed in 1981. In 1995 a delegation of state air pollution control programs to Miami-Dade County was initiated in and most recently renewed in 2016. This resolution aims to allow the County certain state permitting activities. Such delegation streamlines the permitting process and maximizes the impacts of both state and local efforts pursuant to state air rules. Any major source that has actual or potential emissions at or above the major source threshold for any "air pollutant" must attain a Title V Permit from the EPA, this function has been delegated to DERM under the local air quality program for Miami-Dade County. Under Chapter 62-4.050 of the Florida Annotated Code, "Procedures to Obtain Permits and Other Authorizations; applications" are listed some of the none Title V permit fees that DERM is charged with collecting:

The samples below illustrate some of the none title v permit fees:

- |  |
|--|
| a. Construction permit for an emissions unit having potential emissions of 100 or more tons per year of any single pollutant.                                  |
| b. Construction permit for an emissions unit having potential emissions of 50 or more tons per year, but less than 100 tons per year, of any single pollutant. |
| c. Construction permit for an emissions unit having potential emissions of 25 or more tons per year, but less than 50 tons per year, of any single pollutant.  |
| d. Construction permit for an emissions unit having potential emissions of 5 or more tons per year, but less than 25 tons per year, of any single pollutant.   |

**ICI Committee Meeting: June 11, 2019**  
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**Item No. 3G**  
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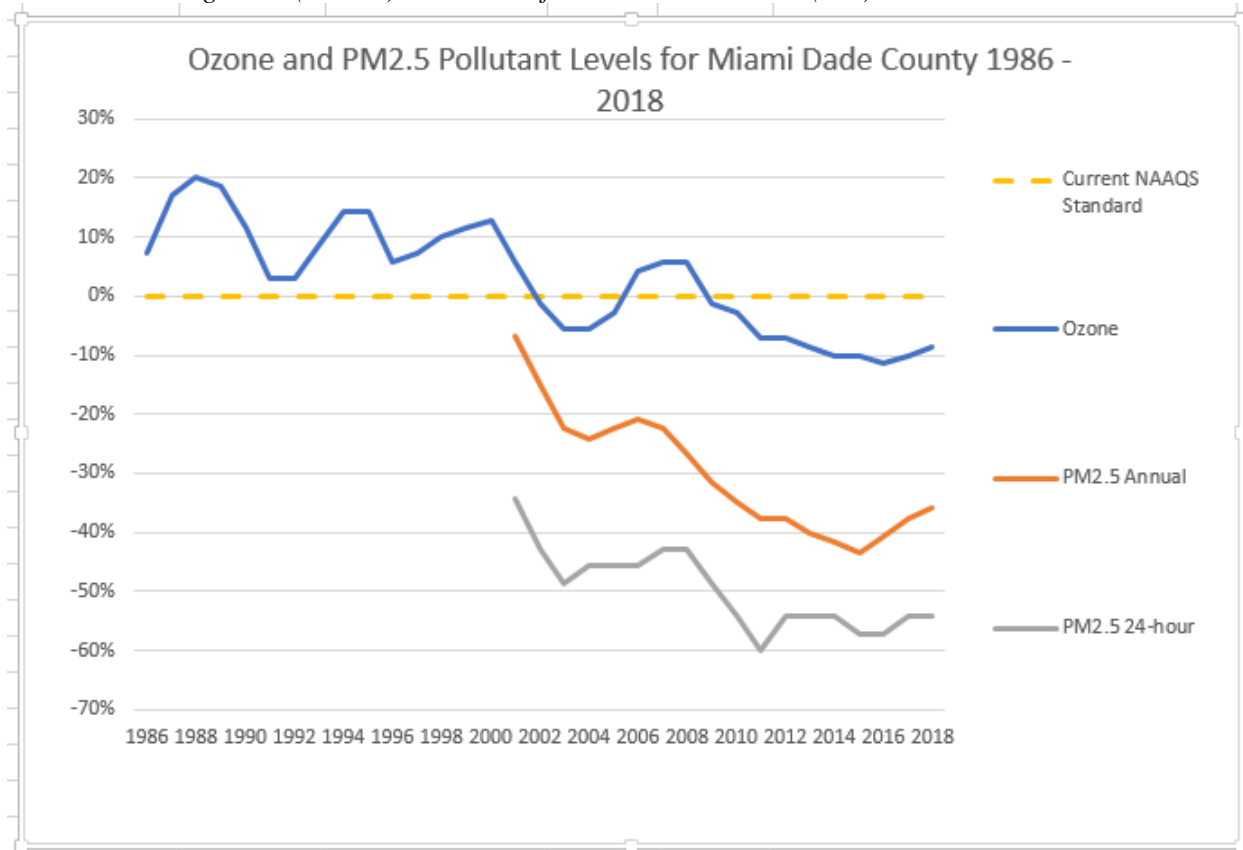
**Researcher: IL Reviewer: TD**

- |  |
|--|
| e. Construction permit for an emissions unit having potential emissions of less than 5 tons per year of each pollutant.  |
| 3. Operation Permit Fee for an Emissions Unit at a Non-Title V Source.   |
| a. Operation permit for an emissions unit required to measure actual emissions by stack sampling.  |
| b. Operation permit for an emissions unit required to measure actual emissions by any method other than stack sampling (such as visible emissions observation or continuous emissions monitoring). |
| c. Operation permit for an emissions unit not required to measure actual emissions.  |

Miami-Dade County will retain 100 percent of the non-Title V air permit fees to offset the regulatory activities performed under this agreement. The proposed Agreement will expire at midnight on August 31, 2021.

The Fiscal impact for this agreement will be paid by approximately 1.8 million dollars of revenue from Tag fees drawn out of the Air Pollution Tag Fee Trust fund (SO 110 116) for tasks done in an effort to protect the County from air pollution. Any remaining tasks are to be paid by proprietary funds from the air quality management unit of RER.

*Below is a table illustrating Ozone pollutant levels for Miami-Dade County, provided by the Division of Environmental Resources Management (DERM). PM stands for Particulate Matter (PM)*





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**Researcher: IL Reviewer: TD**

**DEPARTMENTAL INPUT**

**The following questions were asked of DERM on June 10, 2019, the responses are in bold:**

- How does the Tag fee re-imbursement work? **The Tag Fee reimbursement is based on Section 320.03(6) Florida Statutes. Of every vehicle registration within Dade County, a one dollar nonrefundable fee is charged to the vehicle owner and, per Section 320.03(6) Florida Statutes, 75 cents of every dollar collected is remitted monthly to Miami Dade County to fund air pollution control programs administered by RER-DERM. Those funds are deposited into the County's Air Pollution Tag Fee Trust Fund (SO 110 116). At the end of each fiscal year, RER-DERM submits a financial statement reflecting a summary of the tag fee expenditures and balances on the Tag Fee account to the Florida Dept of Environmental Protection (FDEP).**  
Is it related to the Title V fees? **Although also delegated by the State (FDEP) under the Specific Operating Agreement, the Title V funds are separated.**
- What is the estimated average cost annually that the County is being reimbursed for? **The RER-DERM Air Program receives approximately \$1.8 - \$2 million in revenue annually.**
- What tasks are reimbursed by the FDEP and what tasks are paid for by RER proprietary funds? **Tag fees, Title V, and other grants that are covered in the SOA with FDEP pay expenditures such as rent, daily operations, salaries, laboratory services, field equipment, vehicles, etc. Proprietary funds are used to fund non-revenue functions within RER (Directors, Budget, Enforcement, Administrative Services) that support the operations of the Air Quality Management Division.**
- Is this type of business relationship unique to Miami-Dade County or does FDEP have a similar reimbursement process for other Counties in Florida? **This is not unique to Miami Dade County, there are seven other Counties/local programs within the State that have similar Operating Agreements.**
- Do these Counties also receive revenue drawn out of the Air Pollution Tag Fee Trust fund (SO 110 116)? **should have been: The Air Pollution Tag Fee Trust fund (SO 110 116) is specific to Miami Dade. Other Counties have established similar structures of reimbursement. Some of these other Counties include Broward, Hillsborough, Pinellas, and Orange County.**

**APPLICABLE LEGISLATION/POLICY**

**Title V, Operating Permits**, of Environmental Protection Agency, applies to any major source of emissions at or above the major source threshold for any "air pollutant".

<https://www.epa.gov/title-v-operating-permits/who-has-obtain-title-v-permit>

**Section 320.03(6) of the Florida Statutes**, A nonrefundable fee of \$1 shall be charged on every license registration sold, transferred, or replaced. This fee must be deposited in the Air Pollution Control Trust Fund established in the Department of Environmental Protection and used only for purposes of air pollution control pursuant to chapter 403

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0300-0399/0320/Sections/0320.03.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0300-0399/0320/Sections/0320.03.html)

**Chapter 62-4 sub-section 62-4.050** of Florida Annotated Code, covers procedures to obtain permits and other authorizations; applications.

<https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-4>



**ICI Committee Meeting: June 10, 2019**  
**Research Notes**

**Item No. 3I**  
**File No. 191417**

**Researcher: PGE   Reviewer: TD**

RESOLUTION APPROVING THE AWARD OF A CONTRACT IN THE AMOUNT OF \$350,738.08 TO P & J STRIPING, INC. FOR THE PROJECT ENTITLED PEOPLE'S TRANSPORTATION PLAN PAVEMENT MARKINGS INSTALLATION; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE CONTRACT AND TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.2.7.01 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-53; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES

**ISSUE/REQUESTED ACTION**

Whether the Board should approve a contract award to P&J Striping, Inc. (P&J) in the amount of \$350,738.08 for the People's Transportation Plan Pavement Markings Installation project for a one-year term and authorize the use of Charter County Transportation Surtax funds for such purposes.

**PROCEDURAL HISTORY**

**Prime Sponsor: N/A**

**Department/Requester: Transportation and Public Works**

This item has no procedural history.

**ANALYSIS**

The purpose of this item is to authorize the use of Charter County Transportation Surtax funds totaling \$350,738.08 for a pavement markings installation project awarded to P&J for a one-year term. P&J was recommended for award following a competitive procurement under the County's Miscellaneous Construction Contracts Program (MCC) 7040 Plan, which is a rotational set-aside.

The total contract amount of \$350,738.08 consists of a base contract amount totaling \$278,268, a contingency amount of \$27,826.80 and dedicated allowances totaling \$44,643.28. The Fiscal Year (FY) 2018-19 Proposed Budget and Multi-Year Capital Plan documents this project as "Safety Improvements – Countywide." The project description is to *construct and/or provide improvements countywide to railroad crossings, sidewalks, bike paths, ADA ramps, street lights, pavement markings and school flashers*. For FY 2018-19, the revenue schedule shows \$500,000 in Charter County Transit System Surtax dollars and \$750,000 in People's Transportation Plan Bond Program dollars. It is unclear from a review of the mayoral memorandum how payment will be distributed, e.g., lump sum or linked to milestones and deliverables. A copy of the proposed contract is not included in the agenda package for this item.

The project was advertised on October 11, 2018 under the MCC 7040 Plan. Notice was sent to 67 prequalified firms. P&J proffered the lowest, responsive and responsible bid. The County issued P&J an award letter on December 4, 2018 for the PTP Pavement Markings Installation project. The project has a 10 percent Community Workforce Program requirement. The scope of work includes pavement markings and signage of existing and new streets and bike lanes at designated sites across the County's maintenance road system. The work to be performed under this contract covers six sites touching Commission Districts 9, 11, 12, 13 and 6.

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**Item No. 3I**  
**File No. 191417**

**Researcher: PGE   Reviewer: TD**

Pursuant to Resolution No. R-1181-18, the DTPW must (1) consider the safety records of prospective contractors and first-tier subcontractors for public construction projects; and (2) confirm that the safety records of recommended contractors and first-tier subcontractors were considered and report any instances where the safety record may adversely affect a finding of contractor responsibility in award memorandum to the Board. Information relating to the required safety record check for P&J is absent from the agenda item.

On June 10, 2019, OCA performed the following due diligence relating to P&J's fitness to receive a County contract:

- A search for P&J on the Capital Improvements Information System shows that the firm has an evaluation count of 16. Out of a possible maximum score of 4.0, P&J has an average evaluation rating of 3.6;
- A search for P&J on Sunbiz.org, the official State of Florida Division of Corporations website, shows the firm as a for-profit with a principal address at 9800 NW South River Drive, Medley, Florida. The company's president is Pedro Bermudez; and
- No contractor licensure information was found relating to P&J on the website of the Florida Department of Business & Professional Regulation. The contract requires the awardee to be a licensed contractor.

**ADDITIONAL INFORMATION**

See the link below to the seventh annual update of the Five Year Implementation Plan of the People's Transportation Plan, a publicly-supported transportation improvement program established to develop an integrated mass transportation network and to complete roadway improvements in Miami-Dade County and its municipalities. The Plan documents the current status of progress on the implementation of surtax-funded PTP projects versus baseline estimates.

<https://www.miamidade.gov/citt/library/five-year-plan/2019/five-year-plan.pdf>

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1 of the County Code** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) 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](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Section 2-8.2.7 of the County Code** (Miscellaneous Construction Contracts Program) is intended to enhance the contracting opportunities of Small Business Enterprises for construction services and to facilitate and expedite the award of construction contracts to small businesses. MCC participants are allowed to participate in the contracting plans (i.e., 7040 Plan and 7360 Plan) in accordance with the contracting procedures and specifications to be developed, maintained and amended by the Small Business Development Division of the Internal Services Department.

**ICI Committee Meeting: June 10, 2019**  
**Research Notes**

**Item No. 3I**

**File No. 191417**

**Researcher: PGE Reviewer: TD**

The 7040 Plan is a rotational set-aside, and the 7360 Plan is an open competitive plan. The 7360 Plan is used whenever the funding source prohibits the use of SBE-Con set-asides or when SBD determines that there is insufficient availability for a SBE-Con set aside within the 7040 Plan to accomplish the proposed work.

[https://library.municode.com/fl/miami-dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.2.7.01MICOCOPR](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.2.7.01MICOCOPR)

**Section 2-8.1(h) of the County Code** requires that the award recommendation memorandum presented to the Board identify each dedicated allowance, contingency allowance and additional services allowance including the specific purpose for each and the dollar amount that shall be available for each and the corresponding percentage of each dedicated allowance, contingency allowance and additional services allowance in relation to the actual contract price.

[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 2-8.3 of the County Code** (County Mayor's Recommendation) states that whenever a competitive process is utilized for selection of a contractor, vendor, consultant, tenant or concessionaire, the County Mayor shall review the responses to the solicitation and recommend to the County Commission award or other appropriate action. Such recommendation shall be in writing and shall be filed with the Clerk of the Board, with copies mailed to all participants in the competitive process, no later than 10 days prior to any Commission meeting at which such recommendation is scheduled to be presented. Such recommendation shall be accompanied by a memorandum from the County Mayor that clearly identifies any and all delegations of Board authority contained in the body of the proposed contract.

[https://library.municode.com/fl/miami-dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.3MARE](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.3MARE)

**Section 10-34 of the County Code** provides that for construction contracts in which a bidder may use a subcontractor which involve the expenditure of \$100,000 or more, such contracts shall require the entity contracting with the County to list all first tier subcontractors who will perform any part of the contract and all suppliers who will supply materials for the contract work.

[https://library.municode.com/fl/miami-dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH10CO\\_ARTIIBIPUPR\\_S10-34LISURE](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH10CO_ARTIIBIPUPR_S10-34LISURE)

**Section 2-11.16 of the County Code** governs payment to laborers under 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)

**Section 29-124 of the County Code** relates to the Citizens' Independent Transportation Trust and provides that no surtax proceeds may be used to pay the costs of a contract unless the Trust has submitted a recommendation to the County Commission regarding said contract award. The County Commission, if in agreement with the Trust's recommendation, may award a contract by majority vote. The County Commission may modify or reject the recommendation of the Trust by a two-thirds vote of the Commission's membership. If the Trust has failed to forward a recommendation to the County Commission within 45 days of the County Mayor filing an award recommendation with the Clerk of the Board, the County Commission may take action on the contract award recommendation without any Trust recommendation. Notwithstanding any other provision to the contrary, a committee of the Commission may consider a contract award recommendation prior to receipt of a recommendation of the Trust.

[https://library.municode.com/fl/miami-dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH29TA\\_ARTXVIONHAONPECHCOTRSYSAS\\_UAUSE212.0551FLST2001\\_S29-124SPFUCRUSSUPRROCIINTRTR](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH29TA_ARTXVIONHAONPECHCOTRSYSAS_UAUSE212.0551FLST2001_S29-124SPFUCRUSSUPRROCIINTRTR)

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**Item No. 3I**

**File No. 191417**

**Researcher: PGE Reviewer: TD**

**Section 2-1701 of the County Code** sets forth the Community Workforce Program.

[https://library.municode.com/fl/miami-dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTCXIICOWOPR\\_S2-1701COWOPR](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTCXIICOWOPR_S2-1701COWOPR)

**Section 2-1701 of the County Code** sets forth the Community Workforce Program.

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**Ordinance No. 14-79**, adopted September 3, 2014, requires that all agenda items related to planning, design and construction of County infrastructure include a statement that the impact of sea level rise has been considered.

<http://intra/gia/matter.asp?matter=141211&file=true&yearFolder=Y2014>

**Resolution No. R-421-16**, adopted May 17, 2016, requires (1) the County Mayor to attach to all items recommending design and/or construction contract awards of \$1,000,000 or greater a list of all County contracts awarded in the previous three years to the recommended contractor and a summary of County evaluations of the recommended contractor's work; and (2) all County departments to complete contractor evaluations before closing out a contract and making final payment to a contractor.

<http://www.miamidade.gov/govaction/matter.asp?matter=160124&file=true&fileAnalysis=false&yearFolder=Y2016>

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

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

**Resolution No. R-1181-18**, adopted November 8, 2018, directs the County Mayor to: (1) consider safety records of prospective contractors and first-tier subcontractors for public construction projects; and (2) confirm that the safety records of recommended contractors and first-tier subcontractors were considered and report any instances where the safety record may adversely affect a finding of contractor responsibility in award memorandum to the Board.

<http://intra/gia/matter.asp?matter=182536&file=true&yearFolder=Y2018>

**Implementing Order No. 3-53** sets forth policies and procedures for the administration of the Miscellaneous Construction Contracts program.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-53.pdf>

**ICI Committee Meeting: June 11, 2019**  
**Research Notes**

**Item No. 3J**  
**File No. 191338**

**Researcher: IL Reviewer: TD**

RESOLUTION APPROVING RETROACTIVE CHANGE ORDER NO. ONE (FINAL) WITH YOUNGQUIST BROTHERS, INC., WAIVING LIQUIDATED DAMAGES IN AN AMOUNT NOT TO EXCEED \$36,000.00 AND AUTHORIZING A NON-COMPENSABLE TIME EXTENSION OF 45 DAYS FOR CONSTRUCTION OF AN INJECTION WELL AT THE CENTRAL DISTRICT WASTEWATER PLANT CONTRACT NO. S-869; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SAME AND EXERCISE PROVISIONS CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve a retroactive change order number one (final) with Youngquist Brothers Inc., (Youngquist) waving the liquidated damages in an amount of \$36,000.00 and approving additional non-compensable time extension of 45 days.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**  
**Department/Requester: Water and Sewer Department (WASD)**

There is no procedural history for this item at this time.

**ANALYSIS**

The purpose of this item is to attain the Board's approval for a retroactive change order number one, waiving liquidation damages in the amount of \$36,000.00 and adding an additional non-compensable time of 45 days for the completion of construction of an injection well at the Central District Wastewater Treatment Plant. Approval of this resolution will extend the final completion date from the original April 15, 2017 to May 30, 2017 (one month and fifteen days). The substantial completion was achieved on May 22, 2017 and the construction project was completed and accepted by the County on September 27, 2017. This change order closes out the project.

The division of Small Business Development (SBD) reported that Youngquist Brothers, Inc., was found in violation of the responsible wages and benefits requirements for the underpayment of \$371,556.89 to 111 employees. Youngquist has paid employees all wages due and the \$42,813.84 penalty to the County. SBD has recorded that Youngquist Brothers, Inc. is in compliance with all wage requirements as of March 19, 2019.

On September 3, 2014, the Board approved Ordinance No. 14-77 authorizing the County Mayor to award contracts for funded projects and related goods and services, to reject bids and proposals received in connection with any competitive procurement, and to accelerate the approval of WASD's (1) Consent Decree projects and (2) projects identified in WASD Multi-Year Capital Plan's Capital Improvements Program without the need for prior Board approval, but subject to ratification by the Board.

The Miami-Dade Water and Sewer Department Consent Decree Work consists of all projects needed to comply with the Consent Decree approved on April 9, 2014, by the United States District Court for the Southern District of Florida. The Miami-Dade Water and Sewer Department Capital Improvement Program consist of only those projects approved by the Board as part of the Multi-Year Capital Plan. The Compliance date for Consent Decree project 2.11 is May 9, 2020.

The Fiscal Impact to the County for the waiver of the liquidation damages of this contract will be of \$36,000.00 and impacts Commission District 7, Xavier L. Suarez.

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During the time that the construction project was underway, with the permission of WASD, Youngquist utilized the time associated with the contingency period to extract material during the drilling operations and to prepare the site for Hurricane Mathew. As the drilling operations advanced, Montgomery Watson and WASD staff agreed that several unforeseen geological conditions and unexpected construction difficulties occurred beyond the control of Youngquist. Because the setbacks were not caused by Youngquist the request for the time extension is justified according to the mayoral memo.

On May 21, 2013, the Board of County Commissioners authorized the execution of a Consent Decree between Miami-Dade County, the United States of America, the State of Florida and the Florida Department of Environmental Protection, for improvements to the County's wastewater collection and treatment system. WASD determined that the Central District Waste Water Treatment Plant (CDWWTP) requires replacement and/or upgrade of pump motors and their associated drives and electrical power and control systems. Improvements to the facilities are required pursuant to the Consent decree from the U.S. Environmental Protection Agency (U.S. EPA), Department of Justice (DOJ) and the Florida Department of Environmental Protection (FDEP), Case No 1:12-cv-24400-FAM.

<b>Firm</b>	<b>Sunbiz</b>	<b>Tax Collector</b>	<b>West Law</b>
Youngquist Brothers, Inc.	Active, Principal Address: 15465 Pine Ridge Road, Ft. Myers, FL 33908	Active, Local address: 1031 Ives Dairy Road, Suite 225, Miami, FL 33179 Paid through 10/12/2018	No relevant cases

OCA conducted a review of the Capital Improvement Information System pursuant to R-421-16, to attain the current average evaluation rating for Youngquist Brothers Inc. On June 5, 2019 the firm has an average rating of 3.5 out of 4.0.

**ADDITIONAL INFORMATION**

Consent Decree entered into between the United States of America, the State of Florida Department of Environmental Protection and the State of Florida v. Miami-Dade County, Florida, Case No. 1:12-cv-24400-FAM

<https://www.epa.gov/sites/production/files/2013-08/documents/miami-dade-cd.pdf>

**APPLICABLE LEGISLATION/POLICY**

**Florida Statutes, Chapter 287.055** governs the acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0200-0299/0287/Sections/0287.055.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0287/Sections/0287.055.html)

**Section 2-8.1 of the County Code** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials, and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) 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=PTIIICOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Section 2-8.2.12(4)(d) and (e) of the County Code** (WASD Consent Decree) provides for the acceleration of Miami-Dade Water and Sewer Department Consent Decree and Capital Improvement Program projects, establishes policies and procedures for the approval of contracts related to those projects, specifically the right to amend contracts and extend the time for completion of any contract for construction, materials or professional services, including waivers of liquidated damages and other compensable



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and/or non-compensable time extensions as well as to negotiate and settle claims, and issue settlement agreement(s) or change orders for additional work under contracts and amendments where: the change order or claim does not exceed ten percent (10%) of the base contract amount, and the contingency allowance shall be utilized to ensure minimal disruption in work flow and shall be documented on the appropriate contingency authorization draw. Change orders shall be submitted to replenish the contingency account in a timely manner; and the limitations provided in (4)(e)(i) above shall not apply to any change order or amendment related to emergency actions impacting remediation, public safety, health requirements or recovery from natural disaster.

[https://library.municode.com/fl/miami\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIIICOR\\_CH2AD\\_ARTINGE\\_S2-8.2.12MIDEWASEDECODECAIMPRACOR](https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTINGE_S2-8.2.12MIDEWASEDECODECAIMPRACOR)

**Section 2-8.5 of the County Code** Provides definitions, establishes a preference for local businesses and locally headquartered businesses, establishes exceptions, and allows for reciprocity agreements.

**Section 2-10.4 of the County Code** provides, the rules and regulations associated with the procurement of professional, architectural, engineering, landscape architectural or land surveying and mapping services. Requires a public announcement, submission of qualifications, certification committee, competitive selection committee, and competitive negotiations.

[https://library.municode.com/fl/miami\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIIICOR\\_CH2AD\\_ARTINGE\\_S2-10.4ACPRARENLAARLASUMASE](https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTINGE_S2-10.4ACPRARENLAARLASUMASE)

**Section 2-10.4(7) of the County Code** provides, Each contract for professional services shall contain a prohibition against contingent fees, as required by Chapter 287, Florida Statutes. For the breach or violation of this provision the County Commission may terminate the agreement without liability or, at its discretion, deduct from the contract price, or otherwise recover, the full amount of such fee, commission, percentage, gift or consideration.

[https://library.municode.com/fl/miami\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIIICOR\\_CH2AD\\_ARTINGE\\_S2-10.4ACPRARENLAARLASUMASE](https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTINGE_S2-10.4ACPRARENLAARLASUMASE)

**Ordinance 14-79 (Sea Level Rise)**, adopted September 3, 2014, amending Section 2-1 of the Code of Miami-Dade County, Florida, to require that in all agenda items related to planning, design, and construction of County infrastructure a statement be included that the impact of sea level rise has been considered; providing severability, inclusion in the code, and an effective date.

<http://www.miamidade.gov/govaction/matter.asp?matter=141211&file=true&fileAnalysis=false&yearFolder=Y2014>

**Ordinance No. 14-77**, adopted September 3, 2014, created Section 2-8.2.12 of the Code of Miami-Dade County, and delegated to the County Mayor the authority to advertise, award, amend and negotiate contracts for goods and services, construction and professional services for the Miami-Dade Water and Sewer Department, to extend contract duration, to execute change orders and to settle claims without the need for prior Board approval.

<http://intra/gia/matter.asp?matter=141981&file=false&yearFolder=Y2014>

**Administrative Order 3-39** establishes the standard procedures for user departments to implement, classify, track, monitor and report capital construction projects unless specifically exempted by State or federal law.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-39.pdf>

**Implementation Order (I.O.) 8-8 (Sustainable Buildings Program)**, adopted on December 4, 2007, authorizing approval of Implementing Order 8-8: establishing guidelines to further the County's sustainable buildings program initiative, and authorizing the County Mayor or his designee to exercise any and all other rights conferred therein.

<http://www.miamidade.gov/govaction/matter.asp?matter=080263&file=true&fileAnalysis=false&yearFolder=Y2008>

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**Implementation Order (I.O.) 3-41, (SBE Program)**, establishes procedures related to the Miami-Dade County Small Business Enterprise Program.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-41.pdf>

**Implementing Order (I.O.) 3-32, (Small Business Enterprise Architecture And Engineering Program)**: It is the policy of Miami-Dade County that not less than 10% of the County's total annual expenditures of all project specific contracts for professional architectural, landscape architectural, engineering, and surveying and mapping services, shall be expended with CBE-A/E's certified under the CBE-A/E ordinance.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-32.pdf>

**Implementing Order (I.O.) 3-22, (Small Business Enterprise Construction Services Program)**: Except where Federal or State laws or regulations mandate to the contrary, this Implementing Order governs construction services (including design-build, alteration, installation, painting, maintaining or repairing a public improvement), funded in whole or in part by County funds for all Miami-Dade County departments and agencies.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO03-22.pdf>

**Implementing Order (I.O.) 3-32 (Small Business Enterprise Architecture and Engineering Program)** Except where federal or state laws or regulations mandate to the contrary, this Implementing Order applies to all project specific awards, and multiple project contracts as mandated in the CBE-A/E ordinance.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-32.pdf>

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

<http://www.miamidade.gov/govaction/matter.asp?matter=120287&file=true&yearFolder=Y2012>

**Resolution No. R-281-14**, adopted March 18, 2014, approving Mayor's recommendations relating to proposed Consent Decree with federal and state environmental enforcement agencies and authorizing the Mayor and County Attorney to modify proposed Consent Decree and advise the Court accordingly.

<http://www.miamidade.gov/govaction/matter.asp?matter=140568&file=true&fileAnalysis=false&yearFolder=Y2014>

**Resolution No. R-421-16**, adopted May 17, 2016, requires attachment of all items recommending Design and/or Construction Contract Awards of \$1,000,000/00 or greater a list of all County Contracts awarded in the previous three years to the recommended contractor and a summary of County Evaluations of the recommended contractors work.

<http://intra/gia/matter.asp?matter=160124&file=true&yearFolder=Y2016>

**Resolution No. R-935-14**, adopted October 21, 2014, approves award of construction contract no. s-869: Central District Wastewater Treatment Plant - Industrial Waste Water Deep Injection Well System to Youngquist Brothers, Inc. in the total compensation amount of \$19,887,887.00 with a total contract term of 880 days

<http://www.miamidade.gov/govaction/matter.asp?matter=141777&file=true&fileAnalysis=false&yearFolder=Y2014>

**Resolution No. R-1181-18**, adopted November 8, 2018, directs the County Mayor to: (1) consider safety records of prospective contractors and first-tier subcontractors for public construction projects; and (2) confirm that the safety records of recommended contractors and first-tier subcontractors were considered and report any instances where the safety record may adversely affect a finding of contractor responsibility in award memorandum to the Board.

<http://intra/gia/matter.asp?matter=182536&file=true&yearFolder=Y2018>