

MEMORANDUM

Agenda Item No. 11(A)(3)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners


DATE: October 5, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to revise the competitive solicitation for the design, build, finance, operation and maintenance of the Venetian and Rickenbacker Causeways ("solicitation") to remove the Venetian Causeway from the solicitation and to issue an addendum to the solicitation to effectuate same and provide no additional time for responses thereto

This item was amended at the 9-17-21 Chairman's Council of Policy to direct that no additional time is to be provided to proposers to respond to the solicitation. This makes a conforming change to the title.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



Geri Bonzon-Keenan
County Attorney

GBK/smm



MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: October 5, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(3)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(3)
10-5-21

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO REVISE THE COMPETITIVE SOLICITATION FOR THE DESIGN, BUILD, FINANCE, OPERATION AND MAINTENANCE OF THE VENETIAN AND RICKENBACKER CAUSEWAYS ("SOLICITATION") TO REMOVE THE VENETIAN CAUSEWAY FROM THE SOLICITATION AND TO ISSUE AN ADDENDUM TO THE SOLICITATION TO EFFECTUATE SAME AND PROVIDE NO ADDITIONAL TIME FOR RESPONSES THERETO

WHEREAS, the Venetian Causeway bridges were originally constructed in 1926 across Biscayne Bay to link Miami and Miami Beach and have been designed as historic landmarks by the City of Miami and the City of Miami Beach; and

WHEREAS, in 1989, the Venetian Causeway was listed on the National Register of Historic Places; and

WHEREAS, in 2011, the County and the Florida Department of Transportation ("FDOT") executed an agreement for FDOT to provide funding to the County to assist with the project development and environmental ("PD&E") study necessary for the rehabilitation or replacement of the 12 Venetian Causeway bridges in order to ultimately seek federal funding for the rehabilitation or replacement work on the bridges; and

WHEREAS, since that time, the County has been actively undertaking the PD&E study with FDOT's support and just this year held a public hearing as part of the PD&E in order to ultimately provide documented information necessary for the County and FDOT to reach a decision on the type, design, and location of the improvements for the Venetian Causeway bridges; and

WHEREAS, in the midst of the PD&E study, on March 3, 2021, the County received an unsolicited proposal for the design, build, finance, operation and maintenance of the Rickenbacker Causeway and the Venetian Causeway, including the development of parkland and beachfront along the Rickenbacker Causeway; and

WHEREAS, on July 8, 2021, this Board adopted Resolution No. R-648-21 to accept the unsolicited proposal and to approve the issuance of a competitive solicitation for the same project purpose as set forth in the unsolicited proposal; and

WHEREAS, on August 15, 2021, the County's administration issued a competitive solicitation for the design, build, finance, operation and maintenance of the Rickenbacker Causeway and the Venetian Causeway, including the development of parkland and beachfront along the Rickenbacker Causeway (the "solicitation"); and

WHEREAS, since this Board's decision to issue the competitive solicitation for the Rickenbacker and Venetian Causeways, the County has received numerous requests from residents, businesses and elected leaders in the County seeking to have the Venetian Causeway excluded from the competitive solicitation and to have the improvements to, operation and maintenance of the Venetian Causeway remain under the oversight and control of the County rather than a private entity; and

WHEREAS, due to the unique, historic nature of the Venetian Causeway, the fact that it has been the subject of a PD&E study in partnership with FDOT for the improvement thereof, and that there is considerable public opposition to allowing a private entity to design, build, finance, operate and maintain the Venetian Causeway, this Board desires to exclude the Venetian Causeway from the solicitation,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The recitals set forth above are incorporated into this resolution as if fully set forth herein and are approved.

Section 2. The Board directs the County Mayor or County Mayor’s designee to revise the solicitation to remove the Venetian Causeway from the solicitation and to issue an addendum to the solicitation within 10 days of the effective date of this resolution to effectuate same. The County Mayor or County Mayor’s designee is further directed to provide, as part of the addendum, >>no<<¹ additional time to proposers to respond to the solicitation as a result of the removal of the Venetian Causeway.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

- | | |
|---------------------------------------|------------------------|
| Jose “Pepe” Diaz, Chairman | |
| Oliver G. Gilbert, III, Vice-Chairman | |
| Sen. René García | Keon Hardemon |
| Sally A. Heyman | Danielle Cohen Higgins |
| Eileen Higgins | Joe A. Martinez |
| Kionne L. McGhee | Jean Monestime |
| Raquel A. Regalado | Rebeca Sosa |
| Sen. Javier D. Souto | |

¹ Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of October, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MRP

Monica Rizo Perez
Melanie Spencer