

# MEMORANDUM

Agenda Item No. 11(A)(2)

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**TO:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**DATE:** December 12, 2023

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution adopting Administrative Order 10-16 entitled "use of the Countywide approaching Construction Together (Act) Viewer as a Unified Approach to Construction Work within Miami-Dade County" as Implementing Order 10-16 and amending it to include utilization of joint participation agreements when partnering with municipalities, other governmental entities and public utilities that wish to use the County's Act Viewer and coordinate construction projects with the County; and directing the County Mayor to develop, within 90 days, a standard Joint Participation Agreement for use with municipalities, other governmental entities and public utilities that wish to use the County's Act Viewer and coordinate construction projects with the County

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Juan Carlos Bermudez.

  
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Geri Bonzon-Keenan  
County Attorney

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**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**DATE:** December 12, 2023

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Gen Bonzon-Keenan  
County Attorney

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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)(2)  
12-12-23

RESOLUTION NO. \_\_\_\_\_

RESOLUTION ADOPTING ADMINISTRATIVE ORDER 10-16 ENTITLED "USE OF THE COUNTYWIDE APPROACHING CONSTRUCTION TOGETHER (ACT) VIEWER AS A UNIFIED APPROACH TO CONSTRUCTION WORK WITHIN MIAMI-DADE COUNTY" AS IMPLEMENTING ORDER 10-16 AND AMENDING IT TO INCLUDE UTILIZATION OF JOINT PARTICIPATION AGREEMENTS WHEN PARTNERING WITH MUNICIPALITIES, OTHER GOVERNMENTAL ENTITIES AND PUBLIC UTILITIES THAT WISH TO USE THE COUNTY'S ACT VIEWER AND COORDINATE CONSTRUCTION PROJECTS WITH THE COUNTY; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO DEVELOP, WITHIN 90 DAYS, A STANDARD JOINT PARTICIPATION AGREEMENT FOR USE WITH MUNICIPALITIES, OTHER GOVERNMENTAL ENTITIES AND PUBLIC UTILITIES THAT WISH TO USE THE COUNTY'S ACT VIEWER AND COORDINATE CONSTRUCTION PROJECTS WITH THE COUNTY

**WHEREAS**, in response to Resolution No. R-360-21, a working group, including members from various County departments, was created in order discuss ways to minimize disruption to County residents caused by government construction projects that impact roads, sidewalks and utilities; and

**WHEREAS**, the working group met quarterly to discuss active projects, communication among governmental entities, and technology solutions that could be employed for a unified approach to construction within Miami-Dade County; and

**WHEREAS**, the working group determined that utilization of the Approaching Construction Together (ACT) Viewer by County departments and other government agencies, municipalities and utility providers would improve coordination efforts for construction projects that have the potential to impact County residents through lengthy disruption to roads, sidewalks and public utilities; and

**WHEREAS**, the ACT Viewer will allow tracking and coordination of projects throughout their lifecycles and, through automatically generated notifications of upcoming projects, will make it easier for all entities that intend to construct infrastructure in an area within Miami-Dade County to coordinate their projects on the same timeline in order to more efficiently complete their work with the least disruption to County residents; and

**WHEREAS**, Administrative Order No. 10-16, attached hereto as Exhibit 1, has been adopted by the County Mayor, which establishes procedures that facilitate a unified approach to construction projects by County departments through use of the ACT Viewer; and

**WHEREAS**, the Board supports use of the ACT Viewer and the process set forth in Administrative Order No. 10-16 in order to coordinate construction projects among County departments and wishes to adopt it as Board policy by converting it to Implementing Order 10-16; and

**WHEREAS**, in addition to converting the Administrative Order to an Implementing Order, the Board wishes to amend the Administrative Order to include a process for partnering with municipalities, other governmental agencies and utility providers for coordination of construction projects and use of the ACT Viewer by those entities through the development and use of a standard joint participation agreement to be developed by the County Mayor or County Mayor's designee as soon as possible,

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

**Section 1.** Adopts, as Board policy, Administrative Order No. 10-16 entitled "Use of the Countywide Approaching Construction Together (ACT) Viewer as a Unified Approach to Construction Work Within Miami-Dade County," as Implementing Order 10-16.

**Section 2.** Amends Administrative Order 10-16 by replacing the term “Administrative Order” with “Implementing Order” throughout the Order and by adding the following statement to the end: “In order to expand and maximize use of the ACT Viewer, or any equivalent software/coordination program, and to better coordinate construction projects with non-County entities, such as municipalities, other governmental agencies and utility providers, the County will create and enter into a standard Joint Participation Agreement with any such entity that wishes to partner with the County for use of the ACT Viewer, or any equivalent software/coordination program, and to coordinate construction projects in order to minimize disruption to the County residents caused by such projects.”

**Section 3.** Directs the County Mayor or County Mayor’s designee to develop, within 90 days, a standard joint participation agreement for use with municipalities, other governmental agencies and utility providers that wish to utilize the ACT Viewer and coordinate construction projects with the County.

The Prime Sponsor of the foregoing resolution is Commissioner Juan Carlos Bermudez. 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:

Oliver G. Gilbert, III, Chairman	
Anthony Rodríguez, Vice Chairman	
Marleine Bastien	Juan Carlos Bermudez
Kevin Marino Cabrera	Sen. René García
Roberto J. Gonzalez	Keon Hardemon
Danielle Cohen Higgins	Eileen Higgins
Kionne L. McGhee	Raquel A. Regalado
Micky Steinberg	

The Chairperson thereupon declared this resolution duly passed and adopted this 12<sup>th</sup> day of December, 2023. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

SED

Sarah E. Davis

~~[[Administrative Order]]~~ >>Implementing Order<<<sup>1</sup> No.: 10-16

**Title:** Use of the Countywide Approaching Construction Together (ACT) Viewer as a Unified Approach to Construction Work within Miami-Dade County.

**Ordered:**

**Effective:**

**AUTHORITY:**

Section 5.02 of the Miami-Dade County Home Rule Amendment and Charter.

**PURPOSE:**

This ~~[[Administrative Order]]~~ >>Implementing Order<< establishes procedures requiring that departments review the Countywide ACT Viewer at various stages throughout construction project lifecycles in order to identify and respond to any potential construction conflicts. The implementation of this ~~[[Administrative Order]]~~ >>Implementing Order<< will set forth a unified approach to construction work between County departments and other governmental entities, facilitating intergovernmental collaboration, bettering the use of County resources, and minimizing construction related disturbance to residents.

**APPLICABILITY:**

This ~~[[Administrative Order]]~~ >>Implementing Order<< is applicable to all construction contracting departments including, but not limited to, Aviation, Community Action and Human Services, Corrections and Rehabilitation, Cultural Affairs, Fire Rescue, Internal Services, Library, Medical Examiner, Solid Waste, Parks, Recreation and Open Spaces, Police, Regulatory and Economic Resources, Seaport, Water and Sewer, Public Housing and Community Development, Homeless Trust, and Transportation and Public Works.

**PROCEDURES:**

For construction projects with the potential to cause conflicts with other projects, such as those that impact streets, sidewalks and public utilities, departments shall submit accurate project information to the Information Technology Department Geospatial Data Management Unit, to include boundary of scope of work, time period in which project will take place, and updated project manager contact information. Departments should ensure that this information is kept up to date throughout the project.

Additionally, departments are to review the publicly accessible ACT Viewer at several milestones throughout each project lifecycle, including the following:

- (1) At the initial stages of infrastructure and facilities planning when the department identifies the broad design/development scope, schedule, goals, objectives and statutory requirements;
- (2) During the design phase of each project upon review of 75% design and construction drawings;
- (3) Upon submission of dry-run permit applications; and

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<sup>1</sup> Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

(4) Prior to the execution of a Notice to Proceed (NTP).

The ACT Viewer will highlight projects that share common timelines and boundaries. For each highlighted project, emails will be automatically generated alerting project managers of potential collaboration opportunities. The project manager shall address any unanticipated construction conflicts that may be revealed by the ACT Viewer through interdepartmental engagement and collaboration. Where applicable, departments shall coordinate projects to minimize disturbances and more efficiently utilize County resources.

Departments are also expected to complete outreach efforts to notify the surrounding community of potential construction impacts in accordance with IO 10-13.

As enhancements continue to be made to the ACT Viewer, this ~~[[Administrative Order]]~~ >>Implementing Order<< will be reviewed on an annual basis and revised as necessary through a working group comprised of representatives from County departments including Water and Sewer, Transportation and Public Works, Aviation, Seaport, Solid Waste, Internal Services, and Parks Recreation and Open Spaces.

>>In order to expand and maximize use of the ACT Viewer, or any equivalent software/coordination program, and to better coordinate construction projects with non-County entities, such as municipalities, other governmental agencies and utility providers, the County will create and enter into a standard Joint Participation Agreement with any such entity that wishes to partner with the County for use of the ACT Viewer, or any equivalent software/coordination program, and to coordinate construction projects in order to minimize disruption to the County residents caused by such projects.<<

[[Daniella Levine Cava Mayor]]  
[[Mayor]]