

Memorandum



Date: April 20, 2021

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

Agenda Item No. 8(N)(21)

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Resolution No. R-321-20

Subject: Resolution Authorizing the Approval of the Application of NTS Inc. for Two Certificates of Public Convenience and Necessity

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the application of NTS Inc. for two Certificates of Public Convenience and Necessity to operate two non-emergency vehicles.

SCOPE

These Certificates of Public Convenience and Necessity are countywide, allowing the certificate holder to operate in unincorporated and incorporated areas of Miami-Dade County (County).

FISCAL IMPACT

Licensing, operating, permit, and inspection fees are collected by the Miami-Dade County Department of Transportation and Public Works (DTPW) to support regulatory activities. There is an annual regulatory fee of \$625.00 per certificate that will yield \$1,250.00 in revenue annually for the new certificates. The County also collects \$38.00 per vehicle inspection; with inspection frequency varying with the vehicle age from one to four per year.

TRACK RECORD/MONITOR

This applicant is a current Passenger Motor Carrier (PMC) certificate holder and complies with all requirements of the Code of Miami-Dade County. DTPW will be responsible for monitoring this company.

BACKGROUND

On December 18, 1980, the Board adopted Ordinance 80-145, later codified in Chapter 4, Article III of the County Code of Miami-Dade County, providing for the regulation of non-emergency medical transportation. Section 4-44 of the County Code provides the procedures to be followed by the County in processing certificate applications. Based upon those requirements, the Board may issue or refuse to issue the certificate as applied for, or may issue the certificate with modifications or upon such terms and conditions as in its judgment the public interest may require. In reaching a determination, the Board shall consider the application, the Mayor's recommendation, all matters presented during the public hearing, and among others, the following criteria:

- (1) The ability of the applicant to provide the proposed service;
- (2) The adequacy of the management plan of the applicant; and
- (3) The benefits that will accrue to the public interest from the proposed service.

NTS Inc., located at 5121 SW 154th Place, Miami, Florida 33185, seeks to obtain two Certificates of Public Convenience and Necessity to provide combination wheelchair/stretchers non-emergency medical transportation service to individuals requiring that type of transportation.

The applicant seeks to transport patients to and from various medical facilities throughout the County seven days a week, from 6 a.m. to 7 p.m. Non-emergency transportation rates are not regulated by the County. However, under the Code, the Certificate Holder must file their rates with DTPW and post them within the passenger compartment section of each vehicle. The proposed rate schedule is attached. The vehicles operated under these certificates will have to meet the requirements of Section 4-49 of the County Code, establishing vehicle inspection frequencies.

The management plan submitted by Mr. Damaris Diaz, President of NTS Inc., includes maintenance, communication, and recordkeeping systems which meet the requirements of the County Code. All required financial statements and credit references have been submitted. The proposed service standards meet all requirements of the County Code, and adequately meet transportation and comfort needs. A background investigation revealed that all officers of the corporation meet the criteria of the County Code.

The proposed service to be provided under these certificates will increase the availability of licensed non-emergency medical transportation in the County, thus increasing competition and high service standards to the public.

Attachment



Jimmy Morales
Chief Operations Officer

CURRENT RATES

NTS INC.

Counties

1. MIAMI DADE COUNTY

- **Ambulatory** : 0-15 miles \$20.00 after 15/miles \$1.00 a mile
- **Wheelchair** : 0-15 miles \$19.00 after 15/miles \$1.00 a mile
- **Stretcher** : 0-15 miles \$69.00 after 15/miles \$1.00 a mile



MEMORANDUM

(Revised)

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

DATE: April 20, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(21)

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. 8(N)(21)
4-20-21

RESOLUTION NO. _____ R-321-21

RESOLUTION APPROVING APPLICATION FOR TWO
CERTIFICATES OF PUBLIC CONVENIENCE AND
NECESSITY TO NTS INC. TO PROVIDE COMBINATION
WHEELCHAIR/STRETCHER NON-EMERGENCY MEDICAL
TRANSPORTATION SERVICE

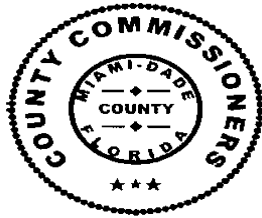
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the application by NTS Inc. for two Certificates of Public Convenience and Necessity to operate two non-emergency vehicles to provide combination wheelchair/stretchers non-emergency medical transportation service in Miami-Dade County.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**,
who moved its adoption. The motion was seconded by Commissioner **Eileen Higgins**
and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 20th day of April, 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

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

D.P.C

Dale P. Clarke