

MEMORANDUM

Agenda Item No. 8(J)(1)

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

DATE: November 2, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution authorizing the
County Mayor to utilize the
Miami-Dade Seaport Department
Capital Improvement Programs
Expedite and Acceleration
Ordinance, Section 2-8.2.15 of
the Code of Miami-Dade County,
Florida, in connection with the
processing, design, and
construction of the capital
improvement project identified
as the "Shore Power Phase 1
Project" in the Seaport Multi-
Year Capital Plan

Resolution No. R-1039-21

The accompanying resolution was prepared by the Port of Miami and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



Geri Bonzon-Keenan
County Attorney

GBK/jp

Memorandum



Date: November 2, 2021

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

From: Daniella Levine Cava
Mayor

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

Subject: Resolution Authorizing the County Mayor or County Mayor’s Designee to Competitively Procure and Contract Construction Services and Equipment to Bring Shore Power Capability on a Shared Basis for Five Cruise Terminals, Cruise Terminals A, B, F, V and the Shared Terminal, at PortMiami Through the Miami-Dade Seaport Department Capital Improvement Expedite and Acceleration Ordinance

Recommendation

It is recommended that the Board of County Commissioners (“Board”) approve the accompanying resolution authorizing the County Mayor or County Mayor’s Designee to competitively procure and contract for Capital Improvements, as such term is defined and used in Section 2-8.2.15 of the Code of Miami-Dade County, Florida (the “Seaport Expedite Ordinance”) in connection with the processing, design, and construction of the capital improvement project to provide shore power capability on a shared basis for five cruise terminals, Cruise Terminals A, B, F, V, and the Shared Terminal, at PortMiami, (known as the “Shore Power Phase 1 Project”).

Scope

PortMiami is located within District 5, which is represented by Commissioner Eileen Higgins. The impact of the agenda item is countywide as PortMiami is a regional asset and generates employment for residents throughout Miami-Dade County.

Background

On February 17, 2021, Miami-Dade County, Florida Power & Light (FPL), and six leading cruise ship companies signed a joint statement agreeing to work together on the most effective way to bring shore power to PortMiami. Shore power enables vessels to turn off their diesel generators and connect to the local electric power grid while berthed at PortMiami.

As part of this initiative, the Port has committed to have shore power on a shared basis for five berths by Fall 2023, including construction services and equipment. The world’s largest cruise lines and PortMiami’s long-term partners (Carnival Corporation, Royal Caribbean Group, Norwegian Cruise Line Holdings, MSC Cruises, and Virgin Voyages) have further committed to upgrade certain Miami ‘homeported’ vessels to be shore power ready within this same time period. FPL will conduct engineering inspections, design, and infrastructure improvements to supply power from FPL substations. Upon completion, PortMiami will be the first major cruise port on the U.S. Eastern Seaboard with shore power availability at five (5) cruise berths (on a shared basis) supporting large, ocean-going vessels.

As part of FPL’s commitment to bring power to the port for this initiative, FPL is requiring a \$400,000 deposit to conduct duct bank inspections from the Overtown Substation to Cruise Terminal F and preliminary engineering designs.

To achieve completion of the Shore Power Phase 1 Project by Fall 2023, PortMiami requires infrastructure and equipment be procured to support shore power waterside for the vessels. To meet the desired construction completion date and given the long-lead times for the shore power equipment, it is in the best interest of the County to procure these contracts under the Seaport Expedite Ordinance. The procurement solicitations for the Shore Power Phase 1 Project will be advertised in accordance with standard County procurement processes, and consistent with other Port construction projects utilizing this method, will be assigned goals for both Small Business Enterprise (SBE) Construction services and Community Workforce Program. The contracts will also require that the contractor(s) make its best reasonable efforts to have a percentage of construction labor hours be performed by Miami-Dade County residents in accordance with the Residence First Training and Employment program.

Funding is included in the Miami-Dade County Seaport Department Capital Improvement Program (“CIP”). Grant funds for this project in the amount of \$2 million from the Diesel Emissions Reduction Act National Grants (2021 DERA) have been announced. The port will continue to look for additional federal and state grant funding.

The Shore Power Phase 1 Project will generate County-wide benefits through the reduction of emissions from vessels burning bunker fuel while at berth.

Fiscal Impact/Funding Source

Approval of the accompanying resolution will not have a direct fiscal impact to the County, as the resolution serves to authorize the County to utilize the Seaport Expedite Ordinance to enter into contracts which will be brought back to the Board for ratification. However, the Shore Power Phase 1 Project, estimated to cost approximately \$55.4 million, is included in the Annual Proposed Resource Allocation and Multi-Year Capital Plan. Funding for the \$400,000 deposit to FPL will be funded from available proceeds from the Port’s commercial paper program and bond proceeds. This \$400,000 deposit will be credited back to the Port via service credits upon completion of the project. Funding for the remaining \$55 million shall be allocated from the Port’s Fiscal Year 2022 and 2023 capital budgets utilizing \$53 million of available proceeds from the Port’s commercial paper program, capital fund reserves, bond proceeds and unrestricted Port funds. Grant funding will provide the remaining \$2 million for project costs. Should additional grant funding be secured, the commensurate reduction will be applied to the CIP budgeted funds. In the event that project cost estimates exceed \$55 million, corresponding adjustments to the Port’s CIP will be presented to the Board for its consideration.

Track Record/Monitor

The Seaport Department staff members responsible for monitoring this Agreement are Hydi Webb, Deputy Director, and Becky Hope, Assistant Director, Planning, Environment & Resiliency.

Delegation of Authority

The authority delegated in this resolution is for use of the Seaport Expedite Ordinance, to award and execute the construction and owner direct purchase contracts, exercise any time extension needed to complete the project, resolve claims made under the contract, waive ability for bidders to protest, and all other authority conferred in both the contract and ordinance, all of which are subject to ratification by the Board.



Jimmy Morales
Chief Operations Officer



MEMORANDUM

(Revised)

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

DATE: November 2, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(J)(1)

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 *Danielle Leme Cara* Mayor
Veto _____
Override _____

Agenda Item No. 8(J)(1)
11-2-21

RESOLUTION NO. R-1039-21

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO UTILIZE THE MIAMI-DADE SEAPORT DEPARTMENT CAPITAL IMPROVEMENT PROGRAMS EXPEDITE AND ACCELERATION ORDINANCE, SECTION 2-8.2.15 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, IN CONNECTION WITH THE PROCESSING, DESIGN, AND CONSTRUCTION OF THE CAPITAL IMPROVEMENT PROJECT IDENTIFIED AS THE "SHORE POWER PHASE 1 PROJECT" IN THE SEAPORT MULTI-YEAR CAPITAL PLAN

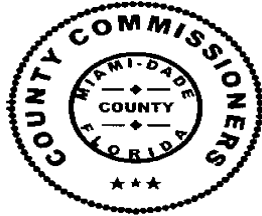
WHEREAS, this Board desires to accomplish the objectives set forth in the accompanying memorandum, a copy of which is incorporated herein,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board adopts and approves the foregoing recital and authorizes the County Mayor or County Mayor's designee to utilize the Miami-Dade Seaport Department Capital Improvement Programs Expedite and Acceleration Ordinance, Section 2-8.2-15 of the Code of Miami-Dade County, Florida, in connection with the processing, design, and construction of the capital improvement project identified as the "Shore Power Phase 1 Project" in the Seaport Multi-Year Capital Plan.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen 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	absent
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 2nd day of November, 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.

MAG

Miguel A. Gonzalez