

Memorandum



Date: October 6, 2022

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

Agenda Item No. 8(F)(13)

From: Daniella Levine Cava
Mayor 

Subject: Request for Expenditure Authority to *Contract No. 9791-1/24-1, Fixed Bus Routes for Miami-Dade Transit*
Resolution No. R-928-22

Summary

This item requests a modification of an existing contract for additional expenditure authority of \$4,836,283 for the Department of Transportation and Public Works (DTPW) to cover the cost-of-service adjustments to existing bus routes for the contract's duration. This adjustment is due to increased service hours that have been implemented from the commencement of the contract as well as Consumer Price Index (CPI) rate adjustments allowed in the contract. This is necessary because the remaining allocation on the contract is insufficient to cover the needed services.

Recommendation

It is recommended that the Board of County Commissioners (Board) authorize additional expenditure authority to *Contract No. 9791-1/24-1, Fixed Bus Routes for Miami-Dade Transit*. This request for \$4,836,283 in additional expenditure authority is to increase the contract ceiling from \$20,973,000 to \$25,809,283 to cover the services mentioned above through the end of the contract term of July 31, 2024.

The Board awarded this competitively solicited contract on May 6, 2014 for an initial five-year term with one, five-year option to renew through Resolution No. R-417-14. The contract is currently in the option to renew term. Funding provided for the option term was based on the original cost of the contract and did not include all the necessary adjustments made during the initial five-year term, including the Living Wage and CPI rate fluctuations. Additionally, the adjustments made during the option term were necessary to increase service hours due to overcrowding on the buses and for CPI rate fluctuations.

For the initial term, the following necessary adjustments were made:

- Service Adjustments:
 - 10/22/15: Service hours for route 301 increased from 65.4 to 70.02 daily as requested by the public due to overcrowding and was deemed necessary by DTPW Planning and Development
 - 12/4/16: Service hours increased to 84.07 daily due to overcrowding and was deemed necessary by DTPW Planning and Development (Resolution No. R-868-16)
 - FDOT JPA coverage increased from 50% to 65% starting contract year 2016 (Resolution No. R-868-16)
- CPI Adjustments:
 - Commencement hourly rate (8/1/14): \$76.90
 - 9/1/15: CPI rate decreased to \$75.03
 - 8/1/16: CPI rate increased to \$75.59
 - 8/1/18: CPI rate increased to \$77.86

The County exercised the five-year option to renew from August 1, 2019 through July 31, 2024. Funding provided for the option to renew was based on the original cost of the contract excluding all necessary adjustments made to the initial term. Additionally, necessary adjustments were made to the option to renew term as follows:

- Service Adjustments:
 - 7/6/21: Service hours for route 301 increased from 84.07 to 102.5 daily due to overcrowding and was deemed necessary by DTPW.
- CPI Adjustments:
 - 8/1/19: CPI rate decreased to \$77.71
 - 8/1/21: CPI rate increased to \$80.04

This item is placed for Board review pursuant to Miami-Dade County Code Section 29-124(f)(ii). Since this is a transit-related procurement, with a value of more than \$1 million, even though no Charter County Transportation Surtax Funds will be used to pay the costs, the Board may only consider this item if the Citizens’ Independent Transportation Trust (CITT) has forwarded a recommendation to the Board. If CITT has not forwarded a recommendation and 45 days have not elapsed since the issuance of this recommendation, a withdrawal of this item will be requested.

Background

DTPW uses this contract to purchase fixed bus route transportation services between Florida City and Monroe County via two routes: Dade-Monroe Express (route 301), which runs between Florida City and Marathon; and Card Sound Express (route 302), which runs between Florida City and the Ocean Reef Club.

Card Sound Express is available seven days a week, with two trips in the morning and afternoon, traveling from Florida City’s City Hall to Ocean Reef Club (only employees are admitted beyond the entrance point to the club) in North Key Largo along W. Palm Dr, US-1, and Card Sound Road. The Dade-Monroe Express serves John Pennekamp Coral Reef State Park on Key Largo, hotels, restaurants, and other businesses in the Florida Keys from Key Largo to Marathon (Mile Marker 50 on US-1). In Florida City, the route serves the Busway Park and Ride lot located on SW 344th Street and City Hall, and on US-1 from SW 328th Street south to the Keys providing service to the businesses along US-1, including the Florida City Super Walmart. The service connects with Metrobus routes 34, 35, 38, and 344 at the SW 344th Street Busway Park and Ride lot. These Metrobus routes provide service to points further north including the “South Dade Transitway” and Metrorail.

Scope

This item impacts Commission District 9.

Delegated Authority

The County Mayor or the County Mayor’s designee will have the authority to exercise all provisions of the contract, including any cancellation or extensions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Fiscal Impact/Funding Source

The contract term expires on July 31, 2024, and the contract has a current cumulative allocation of \$20,973,000. If this request for \$4,836,283 is approved, the contract will have a modified cumulative allocation of \$25,809,283. The requested increase in expenditure authority is based on anticipated needs for the remainder of the contract term. The additional expenditure for this year was approved by the Board as part of the Fiscal Year 2021-22 County budget.

Department	Existing Cumulative Allocation	Additional Allocation Requested	Modified Cumulative Allocation	Funding Source	Contract Manager
Transportation and Public Works	\$20,973,000	\$4,836,283	\$25,809,283	DTPW Operating	Ana Rioseco
Total:	\$20,973,000	\$4,836,283	\$25,809,283		

Track Record/Monitor

Vanessa Stroman of the Internal Services Department is the Procurement Contracting Manager.

Awarded Vendor

Vendor	Principal Address	Local Address	Principal
Safeguard America, Inc. dba Americas Transportation	3201 NW 24 Street Miami, FL	Same	Steven Masdeu

Due Diligence

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with the Internal Services Department’s Procurement Guidelines to determine contractor responsibility, including verifying corporate status and review of performance and compliance issues. The lists referenced include convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. On April 8, 2022, Small Business Division (SBD) requested payroll documentation on the current Contract ITB-9791-1-24 Fixed Bus Routes for compliance with living wage rates.

On May 6, 2022 Safeguard confirmed they had been paying the \$16.31/hour Living Wage rate that applied to the older contracts and as such employees were underpaid \$1.31 per hour worked. Safeguard took corrective action and paid \$36,330 to 29 underpaid employees. As of April 19, 2022, Safeguard employees are being paid the correct Living Wage rate of \$17.62.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision applies.
- The Small Business Enterprise Bid Preference and Local Preference were applied.
- The Living Wage applies as the services to be procured are covered services under the Ordinance.



Jimmy Morales
Chief Operations Officer



MEMORANDUM

(Revised)

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

DATE: October 6, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(F)(13)

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(F)(13)
10-6-22

RESOLUTION NO. _____ R-928-22

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$4,836,283.00 FOR A MODIFIED CONTRACT AMOUNT OF \$25,809,283.00 FOR CONTRACT NO. 9791-1/24-1 FOR THE PURCHASE OF FIXED BUS ROUTES FOR MIAMI-DADE TRANSIT FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION OR EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

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:

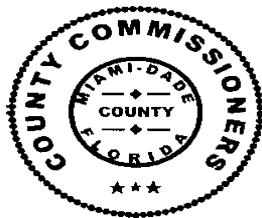
Section 1. This Board authorizes additional expenditure authority in an amount up to \$4,836,283.00 for a modified contract amount of \$25,809,283.00 for Contract No. 9791-1/24-1 for the purchase of fixed bus routes for Miami-Dade Transit for the Department of Transportation and Public Works.

Section 2. This Board authorizes the County Mayor or County Mayor's designee to exercise all provisions of the contract, including any cancellation or extension provisions, pursuant to section 2-8.1 of the County Code and Implementing Order 3-38. A copy of the contract is on file with and available upon request from the Internal Services Department, Strategic Procurement Division.

The foregoing resolution was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Keon Hardemon** and upon being put to a vote, the vote was as follows:

	Jose “Pepe” Diaz, Chairman	aye	
	Oliver G. Gilbert, III, Vice-Chairman	absent	
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	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 6th day of October, 2022. 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

Basia Pruna

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in dark ink, appearing to read "B. Libhaber".

Bruce Libhaber



Memorandum



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

From: Javier A. Betancourt, Executive Director 

Date: September 23, 2022

Re: **CITT AGENDA ITEM 7A:**
RESOLUTION BY THE CITIZENS’ INDEPENDENT TRANSPORTATION TRUST (CITT)
RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS AUTHORIZE
ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO **\$4,836,283.00** FOR
A MODIFIED CONTRACT AMOUNT OF \$25,809,283.00 FOR CONTRACT NO. 9791-
1/24-1 FOR THE PURCHASE OF FIXED BUS ROUTES FOR MIAMI-DADE TRANSIT
FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS; AND
AUTHORIZE THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO
EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY
CANCELLATION OR EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF
THE COUNTY CODE AND IMPLEMENTING ORDER 3-38 **(DTPW/ISD – BCC
LEGISLATIVE FILE NO. 221748) NO SURTAX FUNDS REQUESTED**

On September 22, 2022, the CITT voted (7-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 22-034. The vote was as follows:

Oscar J. Braynon, Chairperson – Absent
Alfred J. Holzman, 1st Vice-Chairperson – Aye
Robert Wolfarth, 2nd Vice-Chairperson – Aye

Hon. Peggy Bell – Aye
Meg Daly – Absent
Paul J. Schwiep, Esq. – Aye
Mary Street, Esq. – Aye

Joseph Curbelo – Aye
Qjuezari Harvey – Absent
L. Elijah Stiers, Esq. – Absent
Ernest Thomas – Aye

c: Jimmy Morales, Chief Operations Officer
Bruce Libhaber, Assistant County Attorney