MEMORANDUM

Agenda Item No. 11(A)(4)

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

DATE: February 7, 2023

FROM: Geri Bonzon-Keenan County Attorney

SUBJECT: Resolution amending Resolution Nos. R-256-17, R-257-17, and R-258-17, which approved three existing professional service agreements to support the Strategic Miami Area Rapid Transit ("SMART") Plan, in order to rescind the requirement for the Department of Transportation and Public Works to receive board approval on a yearly basis to continue to spend funds and issue work orders related to the SMART Plan

Resolution No. R-103-23

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Eileen Higgins.

Geri Bonzon-Keenan
County Attorney

GBK/ks

MEMORANDUM

(Revised)

TO:	Honorable Chairman Oliver G. Gilbert, III and Members, Board of County Commissioners	**DATE:**	February 7, 2023
FROM:	Geri Bonzon-Keenan County Attorney	**SUBJECT:**	Agenda Item No. 11(A)(4)

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)(4)
2-7-23

RESOLUTION NO. R-103-23

RESOLUTION AMENDING RESOLUTION NOS. R-256-17, R-257-17, AND R-258-17, WHICH APPROVED THREE EXISTING PROFESSIONAL SERVICE AGREEMENTS TO SUPPORT THE STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN, IN ORDER TO RESCIND THE REQUIREMENT FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS TO RECEIVE BOARD APPROVAL ON A YEARLY BASIS TO CONTINUE TO SPEND FUNDS AND ISSUE WORK ORDERS RELATED TO THE SMART PLAN

WHEREAS, South Florida has consistently ranked as one of the most heavily congested regions in the country for automobile traffic, and in 2010 was ranked as the worst east coast metropolitan area for traffic; and

WHEREAS, on February 16, 2016, the Governing Board of the Miami-Dade Metropolitan Planning Organization ("MPO"), now known as the Transportation Planning Organization ("TPO"), adopted Resolution #06-16 establishing a policy to set as highest priority for the community the advancement of rapid transit corridors and transit supportive projects in Miami-Dade County; and

WHEREAS, given the urgent need to construct the remaining Strategic Miami Area Rapid Transit ("SMART") Plan corridors and enhance the mobility of County residents, this Board wishes to responsibly advance the SMART Plan corridors as quickly as possible; and

WHEREAS, on March 7, 2017, this Board adopted Resolution Nos. R-256-17, R-257-17, and R-258-17, each of which approved a professional service agreement ("PSA"), respectively: (1) Contract No. CIP142-TR15-PE1; (2) Contract No. CIP142-1-TPW16-PE1(1); and (3) Contract No. CIP142-1-TPW16-PE1(2) (collectively the "three PSAs") to provide professional engineering services for the Department of Transportation and Public Works ("DTPW"); and

WHEREAS, Resolution Nos. R-256-17, R-257-17, and R-258-17 each limited spending authority for work orders related to the SMART Plan to one year from the effective date of the respective resolution, unless additional time is approved by this Board; and

WHEREAS, since 2018, this Board has annually approved continuation of spending authority for the three PSAs; and

WHEREAS, requiring contractors to come before the Board every year greatly adds to the workload for County employees; and

WHEREAS, this Board wishes to ensure that DTPW has the necessary professional services available to it to continue its long-term effort to advance the SMART Plan corridors without having to seek this Board's authorization on a yearly basis to continue to spend pre-approved funds on work orders related to the SMART Plan for three PSAs,

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

Section 1. This Board incorporates and approves the foregoing recitals as if fully set forth herein.

Section 2. This Board amends Resolution Nos. R-256-17, R-257-17, and R-258-17 related to the professional service agreements, respectively: (1) Contract No. CIP142-TR15-PE1; (2) Contract No. CIP142-1-TPW16-PE1(1); and (3) Contract No. CIP142-1-TPW16- PE1(2) in order to rescind the requirement for the Department of Transportation and Public Works to receive Board approval on a yearly basis in order to continue to spend funds and issue work orders related to the Strategic Miami Area Rapid Transit ("SMART") Plan.

The Prime Sponsor of the foregoing resolution is Commissioner Eileen Higgins. It was offered by Commissioner **Danielle Cohen Higgins**, who moved its adoption. The motion was seconded by Commissioner **Eileen Higgins** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman **aye**
Anthony Rodríguez, Vice Chairman **aye**

Marleine Bastien	**aye**	Juan Carlos Bermudez	**aye**
Kevin Marino Cabrera	**aye**	Sen. René García	**aye**
Roberto J. Gonzalez	**aye**	Keon Hardemon	**aye**
Danielle Cohen Higgins	**aye**	Eileen Higgins	**aye**
Kionne L. McGhee	**aye**	Raquel A. Regalado	**aye**
Micky Steinberg	**aye**		

The Chairperson thereupon declared this resolution duly passed and adopted this 7th day of February, 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.

COUNTY COMMISSIONERS MIAMI-DADE COUNTY FLORIDA

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

LUIS G. MONTALDO, CLERK AD INTERIM

Basia Pruna
By:________________________
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. B.L.

Annery Pulgar Alfonso
Bruce Libhaber