

MEMORANDUM

Agenda Item No. 11(A)(2)

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

DATE: June 18, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution relating to Miami International Airport; authorizing the extension of the existing agreement for maintenance, operational services, fuel services, fuel systems through 2031 between the rental car companies and Sunshine Gasoline Distributors, Inc.; waiving contractual requirements for the competitive bidding of maintenance, operational services, fuel system agreement with the participating car rental companies at the Rental Car Center at the airport intermodal center; determining that the Rental Car Center is an aviation facility; waiving requirement of rental car companies to form consortiums through which to provide such services; authorizing the County Mayor to execute such agreement without need for further action of the Board

Resolution No. R-554-24

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



Geri Bonzon-Keenan
County Attorney

GBK/uw

MDC001



MEMORANDUM

(Revised)

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

DATE: June 18, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(2)

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)
6-18-24

RESOLUTION NO. _____ R-554-24

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; AUTHORIZING THE EXTENSION OF THE EXISTING AGREEMENT FOR MAINTENANCE, OPERATIONAL SERVICES, FUEL SERVICES, FUEL SYSTEMS THROUGH 2031 BETWEEN THE RENTAL CAR COMPANIES AND SUNSHINE GASOLINE DISTRIBUTORS, INC.; WAIVING CONTRACTUAL REQUIREMENTS FOR THE COMPETITIVE BIDDING OF MAINTENANCE, OPERATIONAL SERVICES, FUEL SYSTEM AGREEMENT WITH THE PARTICIPATING CAR RENTAL COMPANIES AT THE RENTAL CAR CENTER AT THE AIRPORT INTERMODAL CENTER; DETERMINING THAT THE RENTAL CAR CENTER IS AN AVIATION FACILITY; WAIVING REQUIREMENT OF RENTAL CAR COMPANIES TO FORM CONSORTIUMS THROUGH WHICH TO PROVIDE SUCH SERVICES; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUCH AGREEMENT WITHOUT NEED FOR FURTHER ACTION OF THE BOARD OF COUNTY COMMISSIONERS

WHEREAS, In Resolution No. R-1268-99, the Board approved a Memorandum of Understanding ("MOU") between the County and FDOT relating to the Miami Intermodal Center ("MIC"), which specifies in Section 4.3 that MDAD shall be solely responsible for the operation and maintenance costs of the Rental Car Center ("RCC"); and

WHEREAS, the MOU also provides that operating and maintenance costs for the RCC will be paid through appropriate charges assessed by MDAD on the tenant rental car companies and other users that may occupy space within the RCC; and

WHEREAS, per Resolution No. R-683-00, 16 car rental companies signed individual MOUs with the County and, at the same time, signed individual Rental Car Concession Agreement and Facility Lease Agreements, which provide that MDAD shall maintain and repair the areas of the RCF and surrounding areas in a clean, neat, orderly, attractive appearance; and

WHEREAS, the Concession Agreement also provides that the participating rental car companies have the obligation to operate the RCC internal fuel system and that the companies should form a consortium to provide such services; and

WHEREAS, as required by the RCF Concession Agreement, a Majority-in-Interest Committee composed of representatives from each of the 16 car rental companies have the authority to bind the companies to decisions and actions relating to all maintenance and operational services required for the RCF; and

WHEREAS, in Resolution No. R-97-10 the County approved a Maintenance, Operating, Fueling, and Bussing Agreement (The “MOFB” Agreement) with the Rental Car Companies which passed responsibility for these functions to the Rental Car Companies; and

WHEREAS, Section 4.5 of the MOFB Agreement requires the car rental companies to use competitive bidding procedures in their selection of any third-party company that will actually provide the various services at the RCC; and

WHEREAS, pursuant to the MOFB, the Rental Car Companies competitively selected Sunshine Gasoline Distributors , Inc to provide services at the RCC, under a contract that expires in 2024; and

WHEREAS, the expiration of that agreement was tied to the expected expiration of the Rental Car Concession agreements; and

WHEREAS, this Board of County Commissioners extended the Rental Car Concession agreements in recognition of the impact the coronavirus disease 2019 (“COVID-19”) pandemic had on the rental car industry; and

WHEREAS, the Rental Car Concessions desire to extend Sunshine Gasoline Distributors, Inc.'s contract to provide services through July 12th, 2031 consistent with their extension, but cannot, due to the provisions of Section 4.5 of the MOFB Agreement; and

WHEREAS, the Rental Car Center is an aviation facility owned and operated the Miami-Dade Aviation Department,

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

Section 1. The foregoing recitals are incorporated herein.

Section 2. This Board determines that it is in the best interests of Miami-Dade County to waive Section 4.5 of the MOFB, which requires competitive bidding of Maintenance, Operating, and Fueling services by the Rental Car Companies at the RCC, solely in order to allow the Rental Car Companies to extend their agreement with Sunshine Gasoline Distributors , Inc. through July 12th, 2031. Provision of maintenance, operating, or fueling services after such date shall be provided through competitively procured contracts.

Section 3. The County Mayor or County Mayor's designee is delegated authority to amend Section 4.5 of the MOFB consistent with the authorization in Section 2 of this Resolution without the need for additional action of this Board, and the County Mayor or County Mayor's designee's execution of any such amendment will be effective when filed with the Clerk of the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Keon Hardemon. It was offered by Commissioner **Anthony Rodriguez** , 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	absent
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	absent	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 18th day of June, 2024. 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: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

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

David M. Murray