

MEMORANDUM

Agenda Item No. 11(A)(19)

TO: Honorable Chairman Anthony Rodríguez
and Members, Board of County Commissioners

DATE: December 3, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to take all actions necessary to expedite any additional necessary design and permitting work for, and to proceed expeditiously with the procurement of the construction of, the roadway improvements to NW 107th Avenue from NW 138th Street to NW 170th Street; suspending rule 5.06(j) of the Board's Rules of Procedure by a two thirds vote of commissioners present, relating to the placement of reports on an agenda of this Board; and further directing the County Mayor to provide status reports

Resolution No. R-1105-24

This item was amended at the November 14, 2024 Transportation, Mobility and Planning Committee. This item differs from the original in that, by a two-thirds vote of commissioners present, it suspends rule 5.06(j) of this Board's Rules of Procedure relating to the placement of reports on an agenda of this Board without committee review and directs the County Mayor or County Mayor's designee to provide status reports regarding the directives in sections 2 and 3 of the resolution directly to the district Commissioner via email every 30 days instead of requiring the placement of such reports on an agenda of this Board without committee review and makes conforming changes to the title.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Juan Carlos Bermudez.


Geri Bonzon-Keenan
County Attorney

GBK/ks



MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodríguez
and Members, Board of County Commissioners

DATE: December 3, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(19)

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 ☐, majority plus one ☐, 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) ☐, 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)(19)
12-3-24

RESOLUTION NO. _____ R-1105-24

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EXPEDITE ANY ADDITIONAL NECESSARY DESIGN AND PERMITTING WORK FOR, AND TO PROCEED EXPEDITIOUSLY WITH THE PROCUREMENT OF THE CONSTRUCTION OF, THE ROADWAY IMPROVEMENTS TO NW 107TH AVENUE FROM NW 138TH STREET TO NW 170TH STREET; SUSPENDING RULE 5.06(J) OF THE BOARD'S RULES OF PROCEDURE BY A TWO THIRDS VOTE OF COMMISSIONERS PRESENT, RELATING TO THE PLACEMENT OF REPORTS ON AN AGENDA OF THIS BOARD; AND FURTHER DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE STATUS REPORTS

WHEREAS, Miami-Dade County has consistently ranked amongst the United States cities with the worst traffic congestion; and

WHEREAS, traffic congestion is generally especially heavy during peak rush hour periods, and can be worsened due to traffic accidents, roadwork, and network gridlock; and

WHEREAS, traffic congestion has a negative impact on the quality of life for County residents and visitors; and

WHEREAS, on July 16, 2024, this Board approved Resolution No. R-704-24, approving the cancellation of the design-build services contract with Ric-Man International, Inc., for the roadway improvements to NW 107th Avenue from NW 138th Street to NW 166th Street (Project No. DB19-DTPW-02, Contract No. 20190294); and

WHEREAS, the Department of Transportation and Public Works (“DTPW”) advised that the cancellation of said roadway improvement contract was necessary as a result of market price increases, additional work being required by permit conditions, and delays to the start of construction caused by the need for major utility work in the area; and

WHEREAS, according to DTPW, Ric-Man International, Inc., delivered the final design plans for the roadway improvement project in January 2024, and also secured all required permits as well as completed the construction of a two-lane temporary roadway prior to the cancellation of the contract; and

WHEREAS, DTPW advised that upon cancellation of the design-build contract, that it would advance to procuring the construction phase of the project; and

WHEREAS, given increased development in the area of the subject roadway improvement project, traffic congestion has increased on NW 107th Avenue and surrounding roads, thereby significantly impacting the quality of life the community members who drive in the area; and

WHEREAS, given that the roadway improvements to NW 107th Avenue have not yet been completed, there is significant truck traffic being diverted to roads adjacent to residential communities; and

WHEREAS, the Florida Department of Transportation, through its Florida Turnpike Enterprise (“FDOT”), is currently constructing a new interchange at the Florida Turnpike and NW 170th Street; and

WHEREAS, ensuring that NW 107th Avenue connects to NW 170th Street and the new interchange at the Florida Turnpike should result in further enhancements to traffic flow; and

WHEREAS, this Board wishes to expedite any additional necessary design and permitting work for and the procurement of the construction of the roadway improvements to NW 107th Avenue from NW 138th Street to NW 170th street,

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

Section 1. Adopts the foregoing recitals as if fully set forth herein.

Section 2. Directs the County Mayor or County Mayor's designee to take all actions necessary to expedite any additional necessary design and permitting work for, and to proceed expeditiously with the procurement of the construction of, the roadway improvements to NW 107th Avenue from NW 138th Street to NW 170th Street (the "roadway improvement project").

Section 3. Directs the County Mayor or County Mayor's designee to identify available funding sources from within the fiscal year 2024-2025 County Budget that independently or combined may be utilized to fund the roadway improvement project identified in section 2 above, and to include the roadway improvement project in the Mayor's Proposed Budget for fiscal year 2025-2026, and any future proposed budget as may be necessary, submitted to this Board for approval.

Section 4. Directs the County Mayor or County Mayor's designee to prepare a report regarding the directives in sections 2 and 3 above within 30 days of the effective date of this resolution~~[[, and every 30 days thereafter until the completion of the construction of the roadway improvements,]]~~¹ and to place the completed report~~[[s]]~~ on an agenda of this Board without committee review pursuant to rule 5.06(j) of the Board's Rules of Procedure. >>Further, by a two-thirds vote of commissioners present, suspends rule 5.06(j) of the Board's Rules of Procedure relating to the placement of reports on an agenda of this Board without committee review and

¹ Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

directs the County Mayor or County Mayor's designee to provide status reports regarding the directives in sections 2 and 3 above directly to the district Commissioner via email every 30 days thereafter until the completion of the construction of the roadway improvements.<<

The Prime Sponsor of the foregoing resolution is Commissioner Juan Carlos Bermudez. It was offered by Commissioner **Kevin Marino Cabrera** , who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** and upon being put to a vote, the vote was as follows:

Anthony Rodríguez, Chairman	aye		
Kionne L. McGhee, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	absent
Oliver G. Gilbert, III	aye	Roberto J. Gonzalez	aye
Keon Hardemon	absent	Danielle Cohen Higgins	aye
Eileen Higgins	absent	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 3rd day of December, 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.

Annery Pulgar Alfonso