

MEMORANDUM

Agenda Item No. 15(F)(2)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

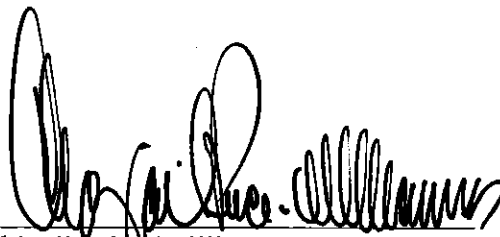
DATE: February 21, 2018

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to amend the current request for qualifications for respondents to design, build, finance, operate and maintain a new county civil courthouse to include an additional location; overturning County Mayor's decision to reject unsolicited proposal; directing County Mayor to evaluate the unsolicited proposal and provide a report and recommendation to the Board by March 22, 2018; placing report on the April 10, 2018 agenda of the Board for discussion of location and procurement method for new county civil courthouse

Resolution No. R-189-18

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



Abigail Price-Williams
County Attorney

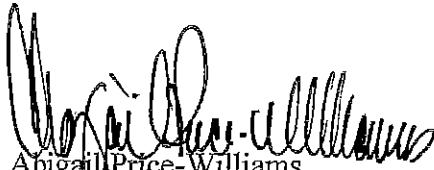
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MEMORANDUM
(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

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County Attorney

SUBJECT: Agenda Item No. 15(F)(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 _____, 3/5's _____, unanimous _____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 15(F)(2)

Veto _____

2-21-18

Override _____

RESOLUTION NO. R-189-18

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO AMEND THE CURRENT REQUEST FOR QUALIFICATIONS FOR RESPONDENTS TO DESIGN, BUILD, FINANCE, OPERATE AND MAINTAIN A NEW COUNTY CIVIL COURTHOUSE TO INCLUDE AN ADDITIONAL LOCATION; OVERTURNING COUNTY MAYOR'S DECISION TO REJECT UNSOLICITED PROPOSAL; DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EVALUATE THE UNSOLICITED PROPOSAL AND PROVIDE A REPORT AND RECOMMENDATION TO THE BOARD BY MARCH 22, 2018; PLACING REPORT ON THE APRIL 10, 2018 AGENDA OF THE BOARD FOR DISCUSSION OF LOCATION AND PROCUREMENT METHOD FOR NEW COUNTY CIVIL COURTHOUSE

WHEREAS, on May 16, 2017, this Board adopted Resolution No. R-559-17 directing the County Mayor to solicit interest from companies to design, build, finance, operate and maintain a new county civil courthouse based on the recommendations contained in the Court Master Plan; and

WHEREAS, on January 31, 2018, the County Mayor published a Request for Qualifications, in accordance with Section 2-8.2.6 of the County Code, to shortlist proposers for a public private partnership to design, build, finance, operate and maintain a new county civil courthouse in accordance with the requirements of the Court Master Plan previously approved by the Board ("P3 RFQ"); and

WHEREAS, the January 31, 2018 Request for Qualifications identifies the parking lot east of the Children's Courthouse (the "Children's Courthouse Site") as the location of the new county civil courthouse; and

WHEREAS, on January 11, 2018, the County received an unsolicited proposal, pursuant to Section 2-8.2.6 of the County Code, proposing to design, build, finance, operate and maintain a new county civil courthouse (“Unsolicited Proposal”); and

WHEREAS, the Unsolicited Proposal identifies a County-owned parcel adjacent to the historic Miami-Dade County Courthouse (the “Flagler Site”) as the location of the new county civil courthouse; and

WHEREAS, on February 8, 2018, the County Mayor rejected the Unsolicited Proposal prior to evaluation, in accordance with Section 2-8.2.6(3)(a)(ii) of the County Code, arguing that the Children’s Courthouse Site was superior to the Flagler Site for the construction of the new county civil courthouse; and

WHEREAS, this Board desires to preserve the maximum flexibility to consider both sites at this time and decide, at the April 10, 2018 meeting of the Board, a site for the construction of the new county civil courthouse and a procurement methodology designed to select the project and proposer which offer the best value to the County; and

WHEREAS, for this purpose, this Board desires to overturn the County Mayor’s recommendation to reject the unsolicited proposal and direct the County Mayor or County Mayor’s designee to continue with the evaluation of the Unsolicited Proposal in an expeditious manner and report back to the Board on March 22, 2018 with recommendations on the Unsolicited Proposal, the location of the new county civil courthouse, and the appropriate procurement method for the selection of a vendor to design, build, finance, operate and maintain the new county civil courthouse; and

WHEREAS, this Board desires that the such report be placed directly on the April 10, 2018 Board of County Commissioners meeting agenda so that the Board may select a location for the construction of a new county civil courthouse and a procurement methodology consistent with the requirements of Section 2-8.2.6 of the County Code,

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

Section 1. Directs that the County Mayor or County Mayor's designee to issue an addendum to the P3 RFQ adding the Flagler Site as a potential location for the construction of a new county civil courthouse. The addendum shall also inform proposers that the final site shall be selected by the Board of County Commissioners prior to the issuance of a request for proposals under the provisions of Section 2-8.2.6 of the County Code and shall make any other changes necessary to give effect to this Resolution.

Section 2. In accordance with Section 2-8.2.6(3)(a)(ii) of the County Code, this Board overturns the County Mayor's decision to reject the Unsolicited Proposal prior to evaluation and directs the County Mayor or County Mayor's designee to complete the evaluation of the unsolicited proposal by March 22, 2018.

Section 3. This Board further directs the County Mayor to issue a report and recommendation to the Board, on or before March 22, 2018, reporting on the evaluation of the Unsolicited Proposal, recommending a location for the new county civil courthouse, and recommending an appropriate procurement method, consistent with the processes set forth in Section 2-8.2.6 of the County Code, for the selection of a vendor to design, build, finance, operate and maintain the new county civil courthouse. Such recommendation on procurement method shall take into account both the ongoing P3 RFQ process and the Unsolicited Proposal process and

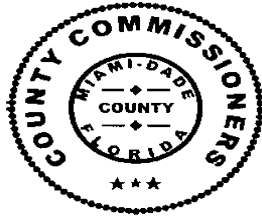
be designed to select the project and proposer which offer the best value to the County for the ultimate site to be selected by the Board. The report shall also contain a recommendation for the sale or other disposition of the historic Miami-Dade County Courthouse.

Section 4. The County Mayor's March 22, 2018 report shall be placed on the April 10, 2018 agenda of the Board of County Commissioners pursuant to Ordinance No. 14-85 so that the Board may select a location for the new county civil courthouse and an appropriate procurement method for the new county civil courthouse at that meeting.

The Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner **Sally A. Heyman** , who moved its adoption. The motion was seconded by Commissioner **Xavier L. Suarez** and upon being put to a vote, the vote was as follows:

	Esteban L. Bovo, Jr., Chairman	aye	
	Audrey M. Edmonson, Vice Chairwoman	aye	
Bruno A. Barreiro	absent	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	absent
Jean Monestime	aye	Dennis C. Moss	aye
Rebeca Sosa	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of February, 2018. 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

By: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "OR", is written over a horizontal line.

Oren Rosenthal