RESOLUTION No. 2008-216-904

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THAT CERTAIN AMENDMENT TO THAT CONTRACT BETWEEN THE CITY OF MIAMI GARDENS AND THE DEPARTMENT OF CORRECTIONS FOR INMATE LABOR SERVICES, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT A; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, City is currently operating under and Agreement with the Florida Department of Corrections, whereby the Department of Corrections provides inmate labor for use in the City's Public Works and Landscaping Departments, and

WHEREAS, the parties would like to extend the current contract for an additional one-year period, terminating on February 27, 2010, and

WHEREAS, the addendum also provides for a new payment amount of $56,467.00,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, as follows:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. AUTHORITY: The City Manager and City Clerk are hereby authorized and directed to execute and attest, respectively, that certain amendment to that contract between the City of Miami Gardens and the Department of Corrections for inmate labor services, a copy of which is attached hereto as **Exhibit A**.

Section 3. INSTRUCTIONS TO THE CITY CLERK: The City Clerk is hereby authorized to obtain three (3) fully executed copies of the subject Agreement, with one to be maintained by the City; with one to be delivered to the Department of Corrections, and with one to be directed to the Office of City Attorney.

Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON OCTOBER 22, 2008.

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, MMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Vice Mayor Watson
SECOND BY: Councilman Gilbert

VOTE: 5-0

Mayor Shirley Gibson	X (Yes)	___(No)
Vice Mayor Barbara Watson	X (Yes)	___(No)
Councilman Melvin L. Bratton	____(Yes)	___(No) (out of town)
Councilman Oliver Gilbert, III	X (Yes)	___(No)
Councilman Aaron Campbell	X (Yes)	___(No)
Councilwoman Sharon Pritchett	____(Yes)	___(No) (out of town)
Councilman André Williams	X (Yes)	___(No)

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City of Miami Gardens

1515 NW 167th Street
Building 5, suite 200
Miami Gardens, Florida 33169

Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman Oliver G. Gilbert III
Councilman André Williams

Agenda Cover Page

Meeting Date: November 12, 2008
Fiscal Impact: Yes
(If yes, explain in Staff Summary)
Funding Source: Transportation Fund - Professional Services
Contract/P.O. Requirement: Yes☐ No☐
Sponsor :Dr. Danny O. Crew, City Manager

Public hearing ☐
Ordinance ☐
1st Reading ☐

Quasi-Judicial ☐
Resolution X
2nd Reading ☐

advertising requirement: Yes☐ No☐
RFP/RFQ/Bid #

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THAT CERTAIN AMENDMENT TO THAT CONTRACT BETWEEN THE CITY OF MIAMI GARDENS AND THE DEPARTMENT OF CORRECTIONS FOR INMATE LABOR SERVICES, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT A; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE

Staff Summary

The City has used the Florida Department of Correction's work squad since 2005, to reduce the amount of litter throughout the City, remove graffiti and assist the public works crew with landscaping tasks. The City Council authorized the original contract on February 28, 2005, which was extended a maximum of two times per the original agreement. A second agreement for 2008-2009 was approved and executed on January 9, 2008.

FDOC has proposed amendments (**Amendment 1**) to the current agreement, to reflect amendments that are being made to other municipalities. These include:

- Renewal of the Contract for one (1) year;
- Extending the end date of the Contract for an additional year from February 28, 2009;
- Updating the Addendum A to reflect the costs effective February 28, 2009. (Last year's contract price was $55,777, the new contract price is $56,467, consequently saving the city a total of $690).;
- Stipulate person to whom invoices should be sent; and

- Stipulates termination "at will" by the City upon 60 days notification, or by the FDOC with 60 days notification to the City.

Other terms and conditions remain the same. We recommend approval of the amendment to the agreement with Florida Department of Correction for an additional 1 year.

Recommendation:

We recommend approval of the attached Resolution, amending the agreement with Florida Department of Correction.

REVISED Addendum A
Inmate Work Squad Detail of Costs for the City of Miami Gardens
Interagency Contract Number WS456 Effective February 28, 2009

ENTER MULTIPLIERS IN SHADED BOXES ONLY IF TO BE INVOICED TO AGENCY

I. CORRECTIONAL WORK SQUAD OFFICER SALARIES AND POSITION RELATED-EXPENSES TO BE REIMBURSED BY THE AGENCY:

	# Officers Multiplier	Per Officer Annual Cost	Total Annual Cost
Officers Salary	1	$ 52,729.00 **	$ 52,729.00
Salary Incentive Payment		$ 1,128.00	$ 1,128.00
Repair and Maintenance		$ 121.00	$ 121.00
State Personnel Assessment		$ 398.00	$ 398.00
Training/Criminal Justice Standards		$ 200.00	$ 200.00
Uniform Purchase		$ 400.00	$ 400.00
Uniform Maintenance		$ 350.00	$ 350.00
Training/Criminal Justice Standards *		$ 1,500.00	
Technology Fee		$ 391.00	$ 391.00
TOTAL - To Be Billed By Contract To Agency		$ 57,217.00	$ 55,717.00

*Cost limited to first year of contract as this is not a recurring personnel/position cost.
** Annual cost does not include overtime pay.

IA. **The Overtime Hourly Rate of Compensation for this Contract is $32.51, if applicable.** (The Overtime Hourly Rate of Compensation shall include the average hourly rate of pay for a Correctional Officer and the average benefit package provided by the department, represented as time and one half for purposes of this Contract.)

II. ADMINISTRATIVE COSTS TO BE REIMBURSED BY THE AGENCY:

	Number Squads	Total Annual Cost
Costs include but may not be limited to the following: Rain coats, staff high visibility safety vest, inmate high visibility safety vest, fire extinguisher, first aid kit, personal protection kit, flex cuffs, warning signs, handcuffs, Igloo coolers, portable toilets, insect repellants, masks, vaccinations, and other administrative expenses.	1	$ 750.00
TOTAL - To Be Billed By Contract To Agency		$ 750.00

III. ADDITIONAL AGENCY EXPENSES:

Tools, equipment, materials and supplies not listed in Section II above are to be provided by the Agency.

CELLULAR PHONE WITH SERVICE REQUIRED: YES [x] NO [ ]
ENCLOSED TRAILER REQUIRED: YES [ ] NO [x]

REVISED Addendum A
Inmate Work Squad Detail of Costs for the City of Miami Gardens
Interagency Contract Number WS456 Effective February 28, 2009

IV. OPERATING CAPITAL TO BE ADVANCED BY AGENCY:			Per Unit Cost	Number of Units	Total Cost	Bill To Agency	Provided By Agency	Already Exists
Hand Held Radio	MACOM	$4,317.39	[X]	1	$ -	[ ]	[ ]	[X]
Vehicle Mounted Radio	MACOM	$4,413.88	[ ]		$ -	[ ]	[ ]	[ ]
TOTAL Operating Capital To Be Advanced By Agency					$ -			

V. TOTAL COSTS TO BE ADVANCED BY AGENCY:	Total Cost
1. Operating Capital - from Section IV.	$0.00
2. **Grand Total - To Be Advanced By Agency At Contract Signing:**	$0.00

VI. TOTAL COSTS TO BE BILLED TO AGENCY BY CONTRACT:	Total Cost
1. Correctional Officer Salaries and Position-Related Expenses - from Section I.	$55,717.00
2. Other Related Expenses and Security Supplies - from Section II.	$750.00
3. **Grand Total - To Be Billed To Agency By Contract:**	$56,467.00

VII. TOTAL OF ALL COSTS ASSOCIATED WITH CONTRACT: $56,467.00
(Total of Sections V. and VI.)

VIII. OVERTIME COSTS:

If the contracting Agency requests overtime for the work squad which is approved by the Department, the contracting Agency agrees to pay such costs and will be billed separately by the Department for the cost of overtime.

Addendum A - INSTRUCTIONS
Inmate Work Squad Detail of Costs for the City of Miami Gardens
Interagency Contract Number WS456 Effective February 28, 2009

Section I. Costs in this section are determined each fiscal year by the Budget and Management Evaluation Bureau and are fixed. By entering the number of Officers required for this contract, the spreadsheet will automatically calculate the "Total Annual Cost" column. If this Work Squad is beyond the first year of existence, enter a zero (0) in the "Total Annual Cost" column for "Training/Criminal Justice Standards" **after** you have entered the "# Officers Multiplier".

Section II. Safety and environmental health procedures require safety measures such as the use of safety signs, vests, and clothing. The Department's procedure for Outside Work Squads requires that all Work Squad Officers be responsible for ensuring their squad is equipped with a first aid kit and a personal protection equipment (PPE) kit. Section II identifies such required equipment. A new squad must be sufficiently equipped and an on-going squad must be re-supplied when needed. Type in the number of squads used for this contract and the spreadsheet will automatically calculate the fixed annual expense of $750.00 per squad and place the total in Section VI.

Section III. Check "Yes" or "No" to indicate whether a Cellular Phone with Service and/or an Enclosed Trailer is required by the Contract Manager.

Section IV. The Department's procedure for Outside Work Squads requires that they have at least one (1) primary means of direct communication with the Institution's Control Room. Communication via radio and/or cellular phone is appropriate. It is preferred that a backup, secondary means of communication also be available. It is the Agency's responsibility to provide them. If the Department purchases a radio(s), the Agency must fund the purchase at the time the Contract is signed. Check the box for the type of radio and fill in the Per Unit Cost for the type of radio, Number of Units, and Total Cost columns. Leave the Total Cost column blank if a radio(s) is not being purchased at this time. Check applicable boxes ("Bill to Agency", "Provided by Agency" and "Already Exists") for each radio.
NOTE: All radio communication equipment owned or purchased by the Agency that is programmed to the Department's radio frequency and used by the work squad(s), whether purchased by the Department or the Agency, shall be IMMEDIATELY deprogrammed by the Department at no cost to the Agency upon the end or termination of this Contract.

Section V. The total funds the Agency must provide at the time the contract is signed will be displayed here when the form is properly filled out.

Section VI. The total funds the Agency will owe contractually, and pay in equal quarterly payments, will be displayed here.

Section VII. The total funds associated with the Contract, to be paid by the Agency as indicated in Sections V. and VI., will be displayed here.

Section VIII. Any agreement in this area will be billed separately as charges are incurred.