

RESOLUTION No. 2009-105-1050

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS IN SUBSTANTIAL FORM WITH DIAMOND POINT AT MIAMI GARDENS, LLC, FOR AN AMOUNT NOT TO EXCEED ONE MILLION, SEVEN HUNDRED SIXTEEN THOUSAND, FIVE HUNDRED TWENTY-NINE DOLLARS AND 70/100 (\$1,716,529.70) AND ABSOLUTE DEMOLITION, INC., IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY THOUSAND DOLLARS (\$130,000.00) FOR REHABILITATION AND DEMOLITION SERVICES OF CERTAIN PROPERTY IN ACCORDANCE WITH THE CITY'S NEIGHBORHOOD STABILIZATION PLAN; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the U.S. Department of Housing and Urban Development ("HUD") has provided Neighborhood Stabilization funds to assist local governments with acquiring abandoned and foreclosed upon properties for demolition, rehabilitation and sale, and

WHEREAS, the City of Miami Gardens was awarded Six Million, Eight Hundred Sixty-Six Thousand, One Hundred Nineteen Dollars and 02/100 (\$6,866,119.02) through the Program, and

WHEREAS, City staff has prepared a Request for Proposal to obtain proposals from interested entities who could provide services on behalf of the City in accordance with the City's Neighborhood Stabilization Plan, and

WHEREAS, six proposals were received in response to the RFP, and a staff evaluation committee is recommending that the City Council award a Sub-Recipient Agreement to Diamond Point At Miami Gardens, LLC, for the purchase and rehabilitation of the property located at 17300 N.W. 7<sup>th</sup> Avenue, in the amount of One Million, Seven Hundred Sixteen Thousand, Five Hundred Twenty-Nine Dollars and

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70/100 (\$1,716,529.70), and that the City contract with Absolute Demolition, Inc., for demolition services in an amount not to exceed One Hundred Thirty Thousand Dollars (\$130,000.00),

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.

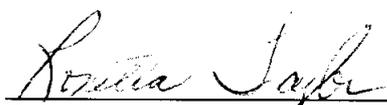
Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens hereby authorizes the City Manager to negotiate and execute Sub-Recipient Agreements in substantial form as those Agreements attached hereto with Diamond Point at Miami Gardens, LLC, and Absolute Demolition, Inc.

Section 3. 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 MAY 27, 2009.

ATTEST:

  
SHIRLEY GIBSON, MAYOR

  
RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.  
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

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MOVED BY: Councilman Gilbert  
SECONDED BY: Councilman Bratton

**VOTE:** 6-1

Mayor Shirley Gibson	<u>  x  </u> (Yes)	<u>    </u> (No)
Vice Mayor Barbara Watson	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilman Melvin L. Bratton	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilman Aaron Campbell	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilman Oliver Gilbert, III	<u>  x  </u> (Yes)	<u>    </u> (No)
Councilwoman Sharon Pritchett	<u>    </u> (Yes)	<u>  x  </u> (No)
Councilman André Williams	<u>  x  </u> (Yes)	<u>    </u> (No)

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

## City of Miami Gardens Agenda Cover Memo

<b>Council Meeting Date:</b>	May 27, 2009		<b>Item Type:</b>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
			<i>(Enter X in box)</i>	X			
<b>Fiscal Impact:</b> <i>(Enter X in box)</i>	Yes	No	<b>Ordinance Reading:</b> <i>(Enter X in box)</i>		<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>
		X	<b>Public Hearing:</b> <i>(Enter X in box)</i>		Yes	No	Yes    No
<b>Funding Source:</b>	<b>Community Development Block Grant - NSP</b>		<b>Advertising Requirement:</b> <i>(Enter X in box)</i>		<b>Yes</b>		<b>No</b>
							X
<b>Contract/P.O. Required:</b> <i>(Enter X in box)</i>	Yes	No	<b>RFP/RFQ/Bid #:</b>		<i>RFP#09-0044</i>		
	X						
<b>Sponsor Name</b>	<b>Danny O. Crew, City Manager</b>		<b>Department:</b>		<b>Community Development</b>		

**Short Title:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS IN SUBSTANTIAL FORM WITH DIAMOND POINT AT MIAMI GARDENS, LLC, FOR AN AMOUNT NOT TO EXCEED ONE MILLION, SEVEN HUNDRED SIXTEEN THOUSAND, FIVE HUNDRED TWENTY-NINE DOLLARS AND 70/100 (\$1,716,529.70) AND ABSOLUTE DEMOLITION, INC., IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY THOUSAND DOLLARS (\$130,000.00) FOR REHABILITATION AND DEMOLITION SERVICES OF CERTAIN PROPERTY IN ACCORDANCE WITH THE CITY'S NEIGHBORHOOD STABILIZATION PLAN; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

**Staff Summary:**

**Background**

In response to the national foreclosure crisis, the U.S. Department of Housing and Urban Development (HUD) provided Neighborhood Stabilization funds to assist local governments to acquire abandoned and foreclosed upon property for demolition, rehabilitation, and sale in areas of greatest need to revitalize

**ITEM K-2) RESOLUTION  
Demolition & Rehab. Services in accordance  
with the Neighborhood Stabilization Plan**

and stabilize the impacted communities. The State of Florida received \$541 million of federal funds, of which the City of Miami gardens was awarded \$6,866,119.02.

Each community receiving an allocation of NSP Funds was required to submit a substantial amendment to its Annual Action Plan. Compliance with this requirement was obtained on November 12, 2008 when the City Council approved the City's NSP plan and substantial amendment document. The City's NSP plan outlined the activities to be carried out by the City within the designated time period established by U.S. HUD.

The approved activities (and corresponding budget) reflected in the City's plan are as follows

1. Purchase and rehab of foreclosed properties for housing of individuals earning up to 50% of AMI	\$1,716,529.70
2. Demolition of abandoned housing units	\$130,000.00
3. Purchase of foreclosed properties for resale	\$2,000,000.00
4. Rehab of units for resale	\$957,977.42
5. Subsidy assistance for buyers of purchased properties	\$1,375,000.00
6. Program Administration	\$686,611.90
<b>Total NSP Funds Allocated</b>	<b>\$6,866,119.02</b>

### Current Situation

During the public hearing process (public workshop), the City Council was presented with options for the methodology to carry out the proposed activities. One option was to have City staff carry out the basic program activities, utilizing industry professionals (realtors, general contractors, etc.) where appropriate. The second option was to engage an entity that would function as a sub-grantee to the City and who would carry out all of the NSP activities on the City's behalf.

A Request for Proposal was prepared by staff to obtain proposals from interested entities (non-profit and for profit) for the NSP, (RFP#09-0044) and advertised on February 22, 2009. A broadcast notice was sent to 1,228 vendors, including several that had previously contacted the City expressing an interest in providing NSP related services. The RFP provided for applicants to bid on one or more of the NSP

activities. Fifteen (15) companies attended a pre-proposal conference but only six (6) proposals were received. All proposals were publicly opened and read on March 27, 2009.

Proposals were received from the following entities:

- Absolute Demolition, Inc, Miami, Florida;
- All-Site Construction, Riviera Beach, Florida;
- Diamond Point @ Miami Gardens, LLC, Boca Raton, Florida;
- One Stop Solution Inc., Tamarac, Florida;
- Neighborhood Housing Services of South Florida, Miami, Florida;
- RERG Development, LLC, Miami, Florida.

A copy of the RFP document and submittals are available for your review at the desk of the assistant to the Mayor and Council.

A selection/evaluation committee consisting of Carmen Quinn, NSP Administrator; Benjamin Sens, NSP Coordinator; Elizabeth Valera, Loan Program Manager; and Deborah Scott, Community Development Specialist II; evaluated all of the proposals received. A committee meeting was held on April 21, 2009, to discuss the proposals, ranking sheets and to determine recommendations. The committee directed the Procurement Manager to send out reference checks and obtain clarifications on some of the items submitted.

Following the receipt of the items requested, the committee determined that based on the proposals, references and clarifications that only Diamond Point at Miami Gardens, LLC (Activity # 1- Purchase and rehab of foreclosed properties for rental to households earning up to 50% of AMI) and Absolute Demolition, Inc. (Activity # 2 – Demolition of abandoned housing units) are recommended for funding award.

Diamond Point at Miami Gardens, LLC's proposal is a full gut rehabilitation of the property located at 17300 N.W. 7<sup>th</sup> Avenue (the old Parkway Hospital Building) and converting it into an Assisted Living Facility. A facility of this type meets the criteria for Activity # 1 because it will serve as permanent housing for individuals earning less than 50% of area median income. Moreover, it will meet an underserved need which is the City's very low income elderly population. This property meets the criteria established by HUD under the NSP, as it is abandoned and in an eligible census tract. The committee is recommending a conditional commitment for Diamond Point at Miami Gardens, LLC based on their ability to fill project funding gaps within 120 calendar days from the date of award.

Absolute Demolition, Inc's proposal is to provide city-wide demolition services to eliminate abandoned properties identified by the Code Enforcement and deemed to be blighted. Part of the intent of the NSP is to eliminate such properties as they have a negative effect on property values. The City's NSP plan projected the demolition of approximately 25 blighted housing units.

It should be noted that the entire RFP process along with the evaluation committee's recommendations were presented to the City's Affordable Housing Advisory Committee at their public meeting on Tuesday May 19, 2009. Committee members were given a summary of proposals received and feedback from evaluation committee members was provided. The Affordable Housing Advisory Committee was also tasked to serve as an appeal body for this RFP in the event any of the applicants wished to appeal. No appeal requests were received in accordance with the RFP document.

The attached resolution seeks City Council approval authorizing the City Manager to negotiate and execute an agreement with the recommended firms. The agreement with Diamond Point at Miami Gardens LLC would be for an amount not to exceed \$1,716,529.70 and is conditioned upon this firm providing full project funding commitments within 120 calendar days from the date of award. The agreement with Absolute Demolition, Inc. would be for an amount not to exceed \$130,000, which is the total amount allocated to the demolition activity in the City's NSP plan.

**Proposed Action:**

Staff recommends approval of the attached resolution authorizing the City Manager the authority to negotiate and execute the agreements (in substantial form) with the two (2) recommended firms.

**Attachment:**

Attachment A: Executive Summary (with exhibits)-Diamond Point at Miami Gardens, LLC  
Attachment B: NSP Contract Shell