

RESOLUTION No. 2009-74-1019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ESTABLISHING A POLICY TO ENCOURAGE GENERAL CONTRACTORS WHO PARTICIPATE IN THE CITY'S HOUSING REHABILITATION PROGRAM TO UTILIZE LOCAL VENDORS WHEN BIDDING ON REHABILITATION PROJECTS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Miami Gardens is an entitlement city and receives Community Development Block Grant ("CDBG") funding directly from the U.S. Department of Housing and Urban Development ("HUD"), as well as State Housing Initiatives Partnership ("SHIP") funding from the Florida Housing Finance Corporation, and

WHEREAS, the City has established a Housing Rehabilitation Program whereby, the City utilizes independent contractors who are not privy with the City but who enter into agreements directly with each homeowner in order to make improvements to their homes, and

WHEREAS, each contractor is approved through the City's Community Development Department utilizing HUD guidelines, and

WHEREAS, the City utilizes General Contractors in order to perform services as opposed to single trade contractors due to the nature of the work, and the cost involved; however, it has come to the City's attention, that many local single trade contractors are not able to participate in the Program due to the fact that the City only authorizes contracts with General Contractors, and

WHEREAS, the City Council would like to establish a policy whereby General Contractors will be encouraged to utilize local single trade contractors to assist them, and

WHEREAS, establishing a policy will allow City staff members to take into consideration that local vendors are being used, when they are conducting their evaluation of a General Contractor,

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. ESTABLISHMENT OF POLICY: The City Council of the City of Miami Gardens hereby establishes a policy whereby General Contractors who participate in the City's Housing Rehabilitation Program will be encouraged to utilize local single trade contractors to assist them with the services that they provide. Moreover, City Council hereby establishes a policy whereby City staff can consider the use of local single trade vendors when evaluating a contractor's overall ability to perform a contract.

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 APRIL 8, 2009.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: COUNCILMAN OLIVER GILBERT, III

MOVED BY: Councilman Williams
SECONDED BY: Councilman Bratton

VOTE: 7-0

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> x </u> (Yes)	<u> </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

Council Meeting Date:	April 8, 2009		Item Type: <small>(Enter X in box)</small>	Resolution X	Ordinance	Other
Fiscal Impact: <small>(Enter X in box)</small>	Yes	No	Ordinance Reading: <small>(Enter X in box)</small>	1st Reading		2nd Reading
		X		Public Hearing: <small>(Enter X in box)</small>	Yes	No
Funding Source:	<small>(Enter Fund & Dept)</small>		Advertising Requirement: <small>(Enter X in box)</small>		Yes	
				X		
Contract/P.O. Required: <small>(Enter X in box)</small>	Yes	No	RFP/RFQ/Bid #:	N/A		
		X				
Sponsor Name	Councilman Oliver G. Gilbert, III		Department:	Community Development		

Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ESTABLISHING A POLICY TO ENCOURAGE GENERAL CONTRACTORS WHO PARTICIPATE IN THE CITY'S HOUSING REHABILITATION PROGRAM TO UTILIZE LOCAL VENDORS WHEN BIDDING ON REHABILITATION PROJECTS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary:

Background

In 2006, the City of Miami Gardens became an Entitlement City, receiving Community Development Block Grant (CDBG) funding from the U.S. Department of Housing and Urban Development (HUD), and subsequently received State Housing Initiatives Partnership (SHIP) funding from the Florida Housing Finance Corporation. One of the major initiatives undertaken by staff with this funding has been to address the aged and dilapidated housing stock within the community through a *Housing Rehabilitation Program*. To date, the *Housing Rehabilitation Program* has completed 91 projects, representative of 246 residents. These projects were carried out by a total of 29 different General Contractors for an overall total payout of \$2,422,268.

**ITEM J-2) CONSENT AGENDA
RESOLUTION
Local Vendors for Rehabilitaion
Projects**

To carry out this Program, the City utilizes independent contractors that ultimately enter into contract directly with each homeowner. In order to establish a pool of approved contractors, the City's Purchasing Department solicited responses from licensed General Contractors, as well as Contractors from various single trades (roofing, electrical, plumbing, etc.). Upon review of the applications, Purchasing approves Contractors to be eligible to participate in the *Housing Rehab* Program. As each residential property is approved for rehabilitation, all of the City's approved Contractors may submit a bid for the work to be carried out. The award of the contract for work is made in accordance with the City's approved housing policies.

Early on in the course of the Rehab Program, City staff determined to limit the bidding to General Contractors versus single trade Contractors. This was primarily due to the vast scope of work in the projects, which entail various trades occurring simultaneously. Utilizing single trade Contractors would require different permits by each contractor and coordination of work between trades. Staff determined that utilizing a GC was more feasible, less expensive, and less confusing to the homeowner. However, there are still single trade Contractors that remain on the City's approved contractors list.

Current Situation

At a recent business roundtable breakfast, one of the approved single trade Contractors (a local vendor) expressed dissatisfaction with the fact that he had not been able to bid on any of the City's rehab projects. While staff explained the situation (as outlined above), it was determined that this situation warranted creative attention.

The typical repairs performed under this program include, but are not limited to, roof repairs, replacement of doors and windows, installation of shutters, plumbing and electrical service upgrades. The General Contractors will purchase material and most often hire sub-contractors to complete the task at hand. There is no current policy in place under this program that advocates the use of local vendors.

The award for these projects is determined by competitive bid. Because of this fact, staff believes that GC's should exercise their discretion in obtaining pricing for goods and services in order for their bids to have the best chance of being selected. This "free market" approach serves to ensure quality results in workmanship and the lowest cost for the project. The City evaluates each completed project utilizing a Performance Scorecard System. This system evaluates the contractor's overall performance including project timeliness, the attainment of required permits, homeowner satisfaction, and the workmanship quality. Each factor is given a distinctive point value. The final score determines the Contractors future participation in the program.

In an effort to maintain the integrity of the bidding process, but while being sensitive to the issue raised by a local vendor, it is proposed that City staff adopt a policy that would encourage the approved GC's to utilize local vendors when bidding on the rehab projects. Staff will prepare a listing of local vendors and sub-contractors to be provided to the GC's with the bid packet for each project. Moreover, this policy will also include the amendment of the Performance Scorecard System to include a factor reflecting "use of local vendors".

The proposed resolution seeks to encourage the use of local vendors and sub-contractors by the City's approved General Contractors.

Proposed Action:

Staff recommends City Council approval of the attached resolution.

Attachment: