

Memorandum



Date: April 5, 2022

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor *Daniella Levine Cava*

Subject: Economic Stimulus Program

In a memorandum dated April 4, 2022, Chairman Diaz urged my administration to develop a plan to expedite shovel-ready capital projects countywide, with an emphasis on projects involving materials subject to rising costs associated with inflation. The Chairman has also called for a renewed effort to expand the scope of the County's existing Economic Stimulus Plan (ESP) Ordinance, which provides procedures to accelerate certain Board-designated County capital projects to spur economic development. I share the Chairman's concerns about rising costs of materials and the need to strengthen Miami-Dade's economic position. My administration is committed to building on the County's past successes in expediting critical capital projects and to delivering these projects on time and on budget.

Existing Acceleration Ordinances

The Miami-Dade County Code generally includes several "Acceleration Ordinances" that delegate contracting and procurement authority to the County administration in order to expedite specific categories of capital improvement projects. The Economic Stimulus Ordinance (Section 2-8.2.7 of the Code) was also designed to help Miami-Dade quickly mobilize projects funded through the American Recovery and Reinvestment Act (ARRA) to help lift our community out of the Great Recession. The Economic Stimulus Ordinance applies to the processing, design, and construction of the capital improvement projects specifically identified by resolution of the Board, as may be amended from time to time by subsequent resolution, or capital projects funded in whole or in part through the ARRA.

In addition to the general expedite ordinance, there are additional Acceleration Ordinances specific to the Water and Sewer Department, the Seaport Department/PortMiami, and the Miami-Dade Aviation Department. Each of these Acceleration Ordinances delegate defined contracting award authority to the County Mayor or designee, subject to Board ratification, and accelerate and expedite Board review of certain contract awards. For example, many of the contract awards subject to these Acceleration Ordinances bypass committee review and may be placed on the Board consent agenda.

The Miami-Dade Water and Sewer Department Consent Decree and Capital Improvement Programs Acceleration Ordinance (Section 2-8.2.12 of the Code) authorizes the administration to "accelerate the processing, procurement, and award of any contract and agreement of the County for Consent Decree Work and other required Capital Improvements contracts to maintain the operational effectiveness and capacity of the water and sewer systems." The WASD Acceleration Ordinance has been extremely successful in fast-tracking priority water and sewer infrastructure work necessary to comply with the federal Consent Decree and the state Ocean Outfall Legislation. Since I took office, WASD has awarded over \$600 million in engineering and

construction contracts. WASD’s capital program for next calendar year includes \$135 million worth of work to improve our water and wastewater system countywide. The Acceleration Ordinance will greatly facilitate the department’s ambitious and critically important capital program.

The Miami-Dade Seaport Department Capital Improvement Program Expedite and Acceleration Ordinance (Section 2-8.2.15 of the Code) allows the administration to expedite award of certain contracts with the express purpose of accelerating the completion of time sensitive projects at the Port of Miami.

The Miami-Dade Aviation Department has additional authority (Section 2-285 and 2-285.2 of the Code) to expedite Miami-Dade Aviation Department projects and provides for the acceleration of the processing, procurement, award, and administration of any contract or agreement necessary for the successful completion of the capital improvement program and to maintain the operational effectiveness and commercial viability of the County airport system.

Federal & State Infrastructure Funding Opportunities

We now have an unprecedented opportunity to make long-sought progress on our infrastructure needs through the Federal Infrastructure Investment and Jobs Act (IIJA). My administration has formed a working group that has been actively tracking all new funding opportunities that the County can pursue under the IIJA. We have been in regular communication with our Congressional delegation on ways that we can ensure that Miami-Dade succeeds in securing substantial investments in our community’s infrastructure needs. We are working tirelessly to secure funding for shovel-ready projects across the entire spectrum of County capital infrastructure, as evidenced by our recent success in securing \$122 million in State Resilience Grants and \$20 million in Biscayne Bay restoration funding this year alone.

The Economic Stimulus Ordinance was designed for just this type of historic and transformative investment in our infrastructure needs. The Board now has an opportunity to expand upon the successes of our existing acceleration ordinances by increasing the existing \$2 million cap and the range of projects that qualify for accelerated approval, providing additional flexibility to the administration to expedite qualifying infrastructure projects funded through the IIJA, the Florida Resilience Grant program, and other federal and state grant programs. Under Section 2-8.2.7 of the County Code, the Board must approve all projects slated for acceleration as part of the Annual Proposed Resource Allocation and Multi-Year Capital Plan. Once these infrastructure projects are incorporated into the County’s capital plans (and subject to any superseding federal or state requirements), the Board can designate these projects by resolution for inclusion under the acceleration ordinance.

I look forward to collaborating with the Board on additional measures that will help us to successfully deliver on our County’s infrastructure and economic development goals.

c: Geri-Bonzon Keenan, Successor County Attorney
Gerald K. Sanchez, First Assistant County Attorney
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