



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis

Internal Management & Fiscal Responsibility
Committee

March 8, 2011
2:00 P.M.
Commission Chamber

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Commission Auditor
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**Miami-Dade County Board of County Commissioners
Office of the Commission Auditor**

**Legislative Notes
Internal Management & Fiscal Responsibility Committee
Meeting Agenda**

March 8, 2011

Written legislative analyses for the below listed items are attached for your consideration:

Item Number(s)

3(F)
3(G)
3(H)

Acknowledgements--Analyses prepared by:
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Elizabeth N. Owens, Legislative Analyst
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**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 110245
File Number: 3(F)
Committee(s) of Reference: Internal Management and Fiscal Responsibility Committee
Date of Analysis: March 4, 2011
Type of Item: Competitive Contract Modifications Package

Summary

This Competitive Contract Modifications Package includes a total of two (2) procurement actions with a cumulative allocation amount of \$10.452 million for the remainder of the terms for both current contracts which expires on August 31, 2011. Both contracts have two (2), two-year options-to-renew (OTR) periods.

Item No.	Contract Title and Modification Reason	Initial Contract Amount	Modified / Extended Term	Increased Allocation	Record of Vendors' Performance
1	<p>Security Guard and Screening Services – RFP 487A</p> <p><u>Reason:</u> Additional spending authority for the Miami-Dade Water and Sewer Department (WASD) to continue security guard and screening services for the remainder of the contract term.</p> <p><u>*See attachment for additional information regarding this contract.</u></p>	\$76.969 million	No Change - contract expires on August 31, 2011.	\$6.152 million	<p>There are no compliance and/or performance issues reported for the following vendors:</p> <ul style="list-style-type: none"> • Feick Security Corporation, • Delad Security, Inc., • McRoberts Protective Agency Inc., and • AlliedBarton Security Services, LLC.
2	<p>Security Guard Services – RFP 487B</p> <p><u>Reason:</u> Additional spending authority for WASD to continue security guard services for the remainder of the contract term.</p> <p><u>*See attachment for additional information regarding this contract.</u></p>	\$39.116 million	No Change - contract expires on August 31, 2011.	\$4.3 million	<p>There are no compliance and/or performance issues reported for the following vendors:</p> <ul style="list-style-type: none"> • Security Alliance of Florida, LLC., and • AlliedBarton Security Services, LLC.

CONTRACT No. RFP 487A Resolution Nos. 656-08 and 1425-08				
Tier 1				
Sector	Contract No.	Projected Yearly Contract Amount	Vendor Awarded Contract	Funding Source
1D	487A-1D	\$3,906,552.72	Delad Security, Inc.,	County funds for all departments.
1E	487A-1E	\$6,185,827.33	Feick Security Corporation	County funds for all departments.
Tier 2				
2A	487A-2A	\$4,768,344.27	50 State Security Service, Inc. (Sub: Feick Security Corp.)	County funds for all departments.
2B	487A-2B	\$4,411,099.04	McRoberts Protective Agency, Inc. (Sub: Security Alliance of Florida, LLC)	County funds for all departments.
Tier 3				
3A	487A-3A	\$5,642,720.19	Barton Protective Services LLC d/b/a Allied Barton Security Services	County funds for all departments.
3B	487A-3B	\$3,652,720.14	Question: Who is the current vendor under Contract No. 487A-3B?	County funds for all departments.
CONTRACT No. RFP 487B				
Tier 1				
1A	487B-1A	\$3,347,435.60	Question: Who is the current vendor under Contract No. 487B-1A?	County Funds for all departments and Federal funds for MDHA.
1B	487B-1B	\$5,673,295.79	Barton Protective Services LLC d/b/a Allied Barton Security Services	County Funds for all departments and Federal funds for MDHA.
1C	487B-1C	\$4,901,497.00	Security Alliance of Florida, LLC	County Funds for all departments and Federal funds for MDHA.

Questions / Comments

According to the County Manager's memo, the justification provided for these modifications is that WASD increased their guard level to 3 as required by Homeland Security and Chapter 32, Article 9 of the Miami-Dade County Code (Code); combined with an increase in the hours of service has resulted in an accelerated utilization of allocated funds.

- Was there a change in the Code to warrant WASD's increase in their guard level?
- If no, why wasn't the current guard level utilized by WASD at level 3?
 - And was WASD not in compliance prior to this change to level 3?
- Why was there an increase in the hours of service?

According to the County Manager's memo, the additional allocation includes a 10% adjustment to routine security services for unanticipated/emergency special projects or infrastructure repair projects requiring respective security services until completion.

- Is this adjustment included in these types of contracts?
- Was this adjustment included in the original award?

Prepared by: Elizabeth N. Owens

Attachment
Legislative Analysis – Item No. 3F

Tiers and Sectors: RFP 487A (Item No. 1) and RFP 487B (Item No. 2)

TIERS AND SECTORS		
Tier	Services Required	Sector Number
Tier 1	Security Guard Services	1A, 1B, 1C, 1D, and 1E
Tier 2	Electronic Screening Services alone, or a combination of Screening and Security Guard Services	2A and 2B
Tier3	Electronic Screening Services alone, or a combination of Screening and Security Guard Services or any other specialized services.	3A and 3B

Under Contract No. RFP 487A, there are three (3) different tier levels, each of which relates to the specific services required (see table above). Contract No. RFP 487B utilizes only Tier 1.

On the other hand, sectors relate to specific geographic areas and are assigned the following boundaries:

- **Sector 1A:** Bounded on the north by the Miami-Dade/Broward County line, extending south to the north side of NE/NW 75th Street, east and west to the Miami-Dade County limits.
- **Sector 1B:** Bounded on the north by the south side of NE/NW 75th Street, extending south to the north side of Flagler Street, east and west to the Miami-Dade County Line, excluding the area defined in Sector 1C.
- **Sector 1C:** Bounded on the north by the south side of NE/NW 54th Street, extending south to the north side of Flagler Street (to include the 140 West Flagler Building), east by the Atlantic Ocean on the west by east side of NW 22nd Avenue.
- **Sector 1D:** Bounded on north by the south side of Flagler Street (excluding the 140 West Flagler Building), extending south to the north side of SW 64th Street, east and west to the Miami-Dade County limits.
- **Sector 1E:** Bounded on the north by the south side of SW 64th Street, and extending to the south, east and west to the Miami-Dade County limits.
- **Sector 2A:** Excluding the area of Miami International Airport (MIA), this sector is bounded on the north by the Miami-Dade County line, south by State Road 836/395, east (to include Miami-Beach) and west by the Miami-Dade County limits.
- **Sector 2B:** Bounded on the north by State Road 836/395, extending to the south, east and west to the Miami-Dade County limits.
- **Sector 3A:** Bounded within the confines of MIA (Aviation Department) which at the time of the RFP was bounded on the north by Northwest 36th Street, extending south to State Road 836/395, east by LeJeune Road (NW 42nd Avenue) and on the west by Northwest 72nd Avenue.
- **Sector 3B:** Bounded within the confines of the Port of Miami (Seaport Department), formerly Dodge and Lummus Islands. Bounded on the north by the Main Ship Channel, extended south to Fisherman's Channel, east by Government Cut, west by Biscayne Boulevard, including the bridges from N.E. 5th and N.E. 6th Street to the Port of Miami.

Date	Resolution No.	Sectors	Contract No.	Vendor	Comments
5/6/08	R-496-08	1E, 2A, 2B, 3A, 3B	RFP 487A	<ul style="list-style-type: none"> 1E – Feick Security Corp. 2A – 50 State Security Service Inc. <ul style="list-style-type: none"> Subcontract: Feick Security Corp. 2B – McRoberts Protective Agency, Inc. 3A – Barton Protect Services LLC d/b/a Allied Barton Security Services 	<p>The Board of County Commission (BCC) bifurcated the award of Contract Nos. RFP 487A and RFP 487B. This resolution pertained only to RFP 487A.</p> <p>Although sector 1D and 3B is under Contract No. RFP 487A, these sectors were not awarded under this resolution.</p>
5/6/08	R-496A-08	1A, 1B, 1C	RFP 487B	<ul style="list-style-type: none"> 1A – Security Alliance of Florida, LLC 1B – Barton Protective Services LLC d/b/a Allied Barton Security Services 1C – rejected and re-advertised. 	This resolution awarded the vendors under Contract No. RFP 487B.
6/3/08	R-656-08	1A, 1B, 1C	RFP 487B	<ul style="list-style-type: none"> 1A – rejected and re-advertised 1B – Barton Protective Services LLC d/b/a Allied Barton Security Services 1C – Security Alliance of Florida, LLC 	Under this resolution, the BCC reconsidered Resolution No. 496A-08, amending the previous award and providing for a new award for Contract No. RFP 487B.
10/21/08	R-1132-08	1D	RFP 487A	<ul style="list-style-type: none"> Delad Security Inc. 	
12/16/08	R-1425-08	1A	RFP 487B	<ul style="list-style-type: none"> Weiser Security Services, Inc. 	<p>This resolution awarded Contract No. - Sector 1A to Weiser Security Services, Inc. The projected yearly contract amount was less than what was originally projected (\$4,068,427.41). The table on the 2nd page of the legislative analysis reflects the amount at the time of award.</p> <p>Note, however, that Weiser Security Services, Inc. is not the current vendor under Contract No. RFP 487B-1A.</p> <ul style="list-style-type: none"> Who is the current vendor?

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 3(G)
File Number: 110405
**Committee(s)
of Reference:** Internal Management & Fiscal Responsibility Committee
Date of Analysis: March 6, 2011
District: 12
Type of Item: Resolution

Summary

This resolution approves a Contract for Sale and Purchase in the amount of \$6,625,000 for the acquisition of approximately 69,718 square feet of warehouse/office space at 3651 N.W. 79th Avenue, Doral, for the purpose of relocation and expansion of the Animal Services Department (ASD). According to the FY 2010-11 Adopted Capital Budget, Volume 3, Page 5, the estimated annual operating impact will be \$485,000. The memo states that upon completion in FY 2011-12, it is estimated that the operating impact will be \$485,000

Two (2) independent appraisals concluded a fair market of \$6,500,000 and \$6,625,000. The property was previously sold on January 2005 for \$6,000,000. (See Folio No. 35-3027-007-0010)

In 2006, the County entered into a contract with LIVS Associates to develop the architectural program and prepare constructions plans, specifications and bid documents for new facility. Pursuant to the memo, staff will be presenting an amendment to the LIVS contract next month to modify the scope. The following questions were posed to General Services Administration (GSA) staff:

- When did the Board of County Commissioners (BCC) approve the LIVS contract?
- How long was the contract for?
- Was it part of a competitive process?
- How much was the award?

Questions and Comments

In response to questions from the Office of the Commission Auditor pertaining to the recommended Animal Services facility, staff from GSA and the ASD provided the information below:

- What is the lifespan of the proposed facility? *The building was originally constructed as a post office in 1978. Based on the appraisal information GSA received, the building has been well maintained and is in good condition. In addition, the County will be making additional improvements to the property prior to ASD's occupancy. The building should have a 40 year additional lifespan with proper maintenance.*
- Will the facility be retrofitted to withstand hurricane force winds? *No, this property was built as a Category 3 building.*

- Were other sites considered? If applicable, please include the other sites. *GSA has evaluated several sites over the past 6 years. In the last two years we have attempted to negotiate the purchase of the JAS building - 2750 N.W. 84th Ave, Doral, FL, and Banyan Village at the Dolphin Commerce Center. Both of these proposals were rejected by the “park” owners because of our intended use of the facility as an animal shelter.*
- Will the facility include emergency generators? Yes
- Is the proposed location in the new FEMA designated flood zone? Yes
- If available, please include how many parking spaces there are at the current facility and proposed facility. *Presently, there are approximately 200 parking spaces. The lot is 5.05 acres and should accommodate 250 parking spaces.*

Question: What happens if the City of Doral rejects GSAs plan and requires additional parking?

- What are the number of cages at the current facility and recommended facility? *According to ASD staff, the current facility has a total of 374 cage spaces but in the summer can have well over 600 animals with the majority of those being dogs. That translates into several dogs per run and as a general rule ASD staff does not like to have more than 3 dogs per run. The facility has 242 dog spaces. ASD has 132 cages/condos for cats. ASD staff does not have a definitive number of cage spaces to report for the new facility as the facility has not been designed yet.*
- *Portions of the current animal services facility are runs that are 10 feet by 2 feet and a portion are small cages for one small dog or puppy.*
- *According to ASD staff, as an open admission facility, euthanasia is based on health, temperament and these space issues. ASD staff is forced to euthanize healthy animals due to space each day and unless our intake numbers decrease, which will continue to happen in the new shelter. The goal is to decrease the intake number so that space is not a reason to euthanize a pet.*

Prepared by: Michael Amador-Gil

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 3(H)

File Number: 110185

Committee(s) of Reference: Internal Management & Fiscal Responsibility Committee

Date of Analysis: March 3, 2011

Type of Item: Resolution Approving the Proposed Budgets for Fiscal Year 2009-10 and FY 2010-11 for the Homestead Community Redevelopment Agency (CRA)

Commission Districts: 8 and 9

Summary

This resolution approves the FY2009-10 and FY2010-11 Proposed Budgets for the Homestead CRA which includes revenues and expenditures for the following amounts:

FY2009-10 Proposed Budget	FY2010-11 Proposed Budget
\$6,521,000	\$7,570,100

Background

Each CRA is required through an Interlocal Agreement with Miami-Dade County, to submit an annual budget to the Board of County Commissioners (Board) for approval. An Interlocal Agreement between Miami-Dade County and the Homestead CRA was approved by the BCC on June 7, 1994 (R-915-94).

The administrative expenditures for FY 2009-10 is 15% and for FY2010-11 is 9% which fall within the 20% cap as prescribed by each CRA in their interlocal agreement with Miami-Dade County.

The Tax Increment Financing Committee reviewed the Homestead CRA Proposed FY2009-10 Budget and the Proposed FY 2010-11 Budget and unanimously recommended both budgets for BCC approval.

Currently, there are twelve (12) approved CRA's: 7th Avenue, City of Homestead, City of Miami Beach, City of Miami, Omni, City of Miami Midtown, City of North Miami, City of North Miami Beach, City of South Miami, Florida City, Naranja Lakes, and West Perrine.

Additionally, there is proposed legislation seeking to expand the N.W. 7th Avenue Corridor Community Redevelopment Area (File No. 102740).

Furthermore, there are two (2) proposed CRA's pending approval: 79th Street Corridor and Goulds/Cutler Ridge.

The CRA approval process includes the following steps:

- Adopting the Finding of Necessity (FON);
- Establish CRA Board;
- CRA Board to develop Community Redevelopment Plan (CRP);
- CRA along with the local planning advisory boards approve CRP;
- Public Hearing;
- County approval; and
- Creation of Redevelopment Trust Fund (CRATF) to facilitate the increase in real property tax revenues into the targeted area.

Homestead CRA Audit

On February 11, 2010, the Miami-Dade County Audit and Management Services Department (AMS) issued an audit report on the Homestead CRA for the five years ending September 30, 2008. In this audit report, AMS issued the following findings:

- \$15.3 million was deposited into the Tax Increment Fund of which \$13.5 million was spent on property acquisitions, infrastructure improvements, as well as economic development and cultural activities;
- Between 1994 and 2007, the CRA haphazardly acquired 83 land parcels with an estimated value of \$8.8 million as of September 30, 2008;
- According to City of Homestead officials, 34 of the parcels are unbuildable because they are either too small or located between buildings and are not conducive for development;
- A real estate consultant hired by the City of Homestead, in February 2009, concluded that the CRA violated Florida Statutes and the Interlocal Cooperation Agreement by taking these properties off the tax roll without a timely plan for redevelopment;
- CRA officials were unable to provide substantive evidence of job creation, business expansion or affordable housing development activities;
- CRA disbursed monies to entities with little or no accountability; and
- Management of the CRA and employee turnover is of concern.

Proposed CRA Oversight Legislation

On February 1, 2011, the Board of County Commissioners, adopted Resolution R-101-11, which Urges the Florida Legislature to pass legislation providing local governments with greater oversight and control over CRA's to include the following:

- To approve CRA budgets,
- Retain surplus Tax Increment Financing (TIF) funds at the end of each CRA's fiscal year; and

- To terminate CRA's

Additional Information on CRAs

On February 1, 2011, the Board of Commissioners for the West Perrine CRA approved the FY2010-11 Budget for the West Perrine CRA(CRA-1-11).

Additionally, the expansion of the N.W. 7th Avenue CRA item (File No. 102740) was deferred.

On March 1, 2011, the Board approved through Resolution R-145-11, the FY2010-11 Budget for the Naranja Lakes CRA. Additionally, the Board approved through Resolution R-146-11, the FY2010-11 Budget for the South Miami CRA.

However, on March 1, 2011, the Board did not take any action for the proposed FY2010-11 budgets for the following CRAs:

- North Miami CRA
- North Miami Beach CRA

What is the impact of the Board's decision in not taking any action on the proposed budgets for the following CRAs?

According to the County Attorney's Office (CAO), under the terms of the Interlocal Agreement between the CRA and the County, if the Board does not approve the CRA's budget then the CRA may not expend any funds, except for payment on debt service. Additionally, the City must begin to fund the CRA.

A CRA Workshop occurred on February 22, 2011 to discuss the twelve (12) CRAs activities and to listen to presentations.

Prepared By: Mia B. Marin