



OFFICE OF THE COMMISSION AUDITOR

COMMISSION AUDITOR'S INFORMATIONAL RESEARCH

BOARD OF COUNTY COMMISSIONERS MEETING

April 4, 2023

9:30 A.M.

Commission Chambers

Yinka Majekodunmi, CPA

Commission Auditor

Office of the Commission Auditor (OCA)

111 N.W. First Street, Suite 1030

Miami, FL 33128

(305) 375-2524

TABLE OF CONTENTS

CONSENT ITEMS

Commissioner Consent Items

3A1 (230572) Codesignation of a Portion of NW 32 nd Street as “Father Jose Luis Mendez Street”	2
3A2 (230584) Codesignation of a Portion of NW 11 th Street as “Larry C. Little Street”	3
3A3 (230532) Codesignation of a Portion of NE 190 th Street as “Hidden Bay Drive”	4

PUBLIC HEARINGS

5A (230475) Codesignation of a Portion of SW 167 th Avenue as “Buccaneer Boulevard”	5
5B (230477) Codesignation of a Portion of SW 37 th Avenue as “James C. Colzie, Sr. Street”	6

DEPARTMENTAL ITEMS

Regulatory and Economic Resources

8L4 (230637) Appointment of Kevin M. Cunniff to the Miami-Dade County Biscayne Bay Watershed Management Advisory Board	7
--	---

Strategic Procurement Department

8P3 (230353) Waiving Competitive Bidding Procedures and Modifications to Contract 6938-2/22.....	8
8P7 (230367) Additional Expenditure Authority for Contract No. R1426611P1	10

COUNTY COMMISSION

Resolutions

11A3 (230476) Allocation of Recaptured Funds from Project No. 320	11
11A5 (230251) Appointment of Theodora Long to the Miami River Commission Policy Committee	14

Resolution Approving the City of Miami’s Codesignation of that Portion of Northwest 32nd Street Between 7th Avenue and 7th Place, Miami, Florida as “Father Jose Luis Menendez Street”

Prime Sponsor: Commissioner Keon Hardemon, District 3

Requester: None

Committee Action Date: None

RESEARCH FINDINGS

OCA completed the required background research on “Father Jose Luis Menendez” and noted no adverse findings. OCA determined that there is no prior Board of County Commissioners (BCC) codesignation for “Father Jose Luis Menendez.” As also required by Rule 9.02(f)(1), OCA verified that “Father Jose Luis Menendez” is living. OCA is providing this report as a Supplement to BCC Agenda File Item No. 230572.

ADDITIONAL INFORMATION

1. Bulleted below is the relevant legislation relating to the background research process:
 - [Section 2-1](#) Rule 9.02(f) of the Code requires OCA to conduct background research on any person, organization, place, or thing that is the subject of a naming, renaming or codesignation item or an item approving the codesignation of state or municipal roads, and prepare a report detailing the findings of said research prior to the Commission meeting during which the item is scheduled to be considered.

Resolution Approving the City of Miami Codesignation of that Portion of Northwest 11th Terrace from Northwest 6th Avenue to Northwest 1st Avenue as “Larry C. Little Street”

Prime Sponsor: Commissioner Keon Hardemon, District 3

Requester: None

Committee Action Date: None

RESEARCH FINDINGS

OCA completed the required background research on “Larry C. Little” and noted no adverse findings. OCA determined that there is no prior Board of County Commissioners (BCC) codesignation for “Larry C. Little.” As also required by Rule 9.02(f)(1), OCA verified that “Larry C. Little” is living. OCA is providing this report as a Supplement to BCC Agenda File Item No. 230584.

ADDITIONAL INFORMATION

1. Bulleted below is the relevant legislation relating to the background research process:
 - [Section 2-1](#) Rule 9.02(f) of the Code requires OCA to conduct background research on any person, organization, place, or thing that is the subject of a naming, renaming or codesignation item or an item approving the codesignation of state or municipal roads, and prepare a report detailing the findings of said research prior to the Commission meeting during which the item is scheduled to be considered.

Resolution Approving the City of Aventura’s Codesignation of that Portion of NE 190th Street Between W Country Club Drive and the Entrance of the Hidden Bay Residential Community as “Hidden Bay Drive”; Approving the City of Aventura’s Removal of the “Marina Del Ray Boulevard” Codesignation from that Portion of NE 190th Street Between W Country Club Drive and the Entrance of the Hidden Bay Residential Community

Prime Sponsor: Commissioner Micky Steinberg, District 4

Requester: None

Committee Action Date: None

RESEARCH FINDINGS

OCA completed the required background check on “Hidden Bay Drive” and noted no adverse findings. OCA determined that there is no prior Board of County Commissioners (BCC) codesignation for “Hidden Bay Drive.” OCA is providing this report as a Supplement to BCC Agenda File Item No. 230532.

ADDITIONAL INFORMATION

1. Bulleted below is the relevant legislation relating to the background research process:
 - [Section 2-1](#) Rule 9.02(f) of the Code requires OCA to conduct background research on any person, organization, place, or thing that is the subject of a naming, renaming or codesignation item or an item approving the codesignation of state or municipal roads, and prepare a report detailing the findings of said research prior to the Commission meeting during which the item is scheduled to be considered.

Resolution Codesignating that Portion of Southwest 167th Avenue Between Southwest 282nd Street and Southwest 288th Street as “Buccaneer Boulevard”

Prime Sponsor: Commissioner Danielle Cohen Higgins, District 8

Requester: None

Committee Action Date: None

RESEARCH FINDINGS

OCA completed the required background check on “Buccaneer Boulevard” and noted no adverse findings. OCA determined that there is no prior Board of County Commissioners (BCC) codesignation for “Buccaneer Boulevard.” OCA is providing this report as a Supplement to BCC Agenda File Item No. 230475.

ADDITIONAL INFORMATION

1. Bulleted below is the relevant legislation relating to the background research process:
 - [Section 2-1](#) Rule 9.02(f) of the Code requires OCA to conduct background research on any person, organization, place, or thing that is the subject of a naming, renaming or codesignation item or an item approving the codesignation of state or municipal roads, and prepare a report detailing the findings of said research prior to the Commission meeting during which the item is scheduled to be considered.

Resolution Codesignating that Portion of Southwest 37th Avenue (Douglas Road) Between Grand Avenue and U.S. Route 1 as “James C. Colzie, Sr. Street”**Prime Sponsor:** Commissioner Raquel A. Regalado, District 7**Requester:** None**Committee Action Date:** None

RESEARCH FINDINGS

OCA completed the required background research on “James C. Colzie, Sr.” and noted no adverse findings. OCA determined that there is no prior Board of County Commissioners (BCC) codesignation for “James C. Colzie, Sr.” As also required by Rule 9.02(f)(1), OCA verified that “James C. Colzie, Sr.” is deceased. OCA is providing this report as a Supplement to BCC Agenda File Item No. 230477.

ADDITIONAL INFORMATION

1. Bulleted below is the relevant legislation relating to the background research process:
 - [Section 2-1](#) Rule 9.02(f) of the Code requires OCA to conduct background research on any person, organization, place, or thing that is the subject of a naming, renaming or codesignation item or an item approving the codesignation of state or municipal roads, and prepare a report detailing the findings of said research prior to the Commission meeting during which the item is scheduled to be considered.

Resolution Waiving, by a Two-Thirds Vote of the Full Membership of the Board of County Commissioners, the Resident Elector Requirement of Section 2-11.38 of the Code and Appointing Kevin M. Cunniff to the Miami-Dade County Biscayne Bay Watershed Management Advisory Board for a Four-Year Term

Prime Sponsor: Commissioner Danielle Cohen Higgins, District 8

Requester: Regulatory and Economic Resources

Committee Action Date: None

RESEARCH FINDINGS

OCA completed the required background research regarding the appointment of Kevin M. Cunniff to the Miami-Dade County Biscayne Bay Watershed Management Advisory Board. The research yielded no adverse informational findings for the appointee. This report is being provided as a Supplement to BCC File Item Number 230637.

FINANCIAL ANALYSIS

N/A

ADDITIONAL INFORMATION

1. Bulleted below is the relevant legislation relating to the background research process:
 - [Resolution No. R-636-14](#), adopted on July 1, 2014, requires OCA to conduct background research on applicants being considered to serve on County Boards and Trusts that require nominations or appointments by the BCC.

Resolution Waiving Competitive Bidding Requirements of Section 5.03(D) of the Home Rule Charter and Section 2-8.1 of the County Code by a Two-Thirds of the Board Members Present; Approving Contract Modification No. 17 for Great Waste and Recycling Services LLC, Contract Modification No. 18 for Waste Management Inc. of Florida, and Contract Modification No. 19 for Waste Connection Of Florida, Inc., Extending the Term Five Years for Multiple County Departments (Except Miami-Dade Aviation Department), and Extending the Term for one year for the Miami-Dade Aviation Department, Amending Pricing and Authorizing Additional Expenditure Authority in a Total Amount not to Exceed \$21,559,359.00 for a Total Modified Contract Award Amount of \$58,520,389.00 for Contract 6938/22 for Garbage Collection and Disposal Services; and Authorizing the County Mayor or County Mayor's Designee to Execute the Modifications and Exercise All Provisions of the Contracts, Including any Cancellation or Extension Provisions, Pursuant to County Code Section 2-8.1 and Implementing Order 3-38

Prime Sponsor: None

Requester: Strategic Procurement

Committee Action Date: 03/14/2023-County Infrastructure, Operations and Innovations Committee

RESEARCH FINDINGS

OCA's review of the item found no substantive legislative, procedural, or administrative non-compliance.

CONTEXTUAL INFORMATION

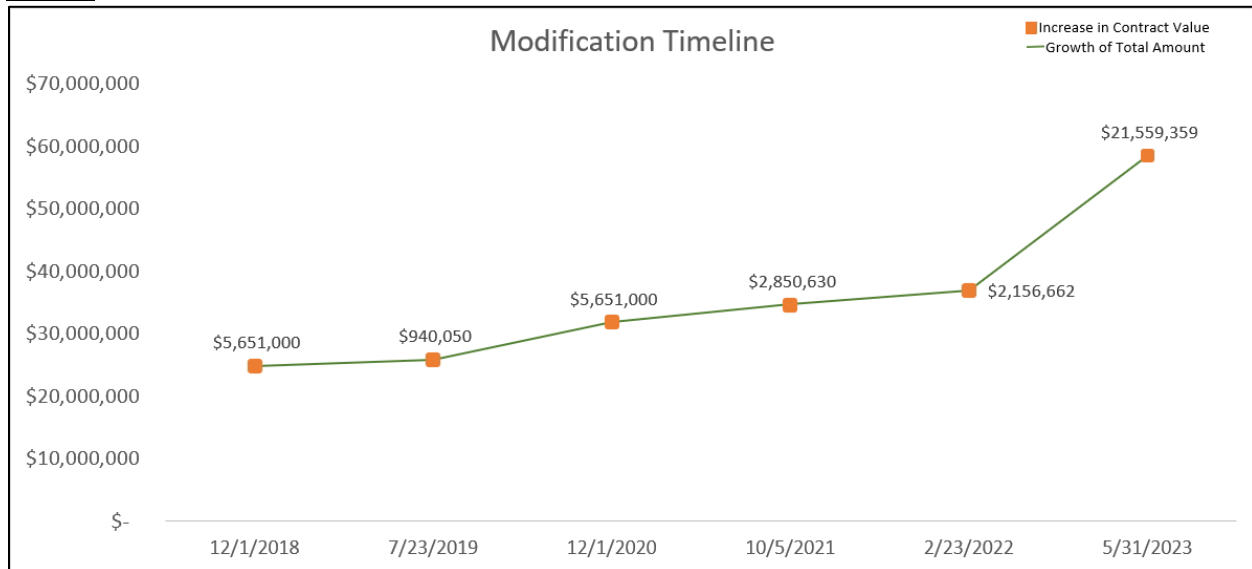
Item 8P3 requests approval by the Board of County Commissioners (Board) to waive competitive bidding and extend the current contract, *Contract No. 6938-2/22 Garbage Collection and Disposal*, by an additional five (5) years for multiple County departments and one (1) year for the Miami-Dade Aviation Department (MDAD), with a total allocation of \$21,559,359.

The contract currently serves over 400 County sites, increased from the originally served approximately 270 sites. The Board approved the contract on September 17, 2013, through [R-740-13](#). The contract is set to expire on May 31, 2023. According to the Mayoral Memo, the Department of Solid Waste Management (DSWM) will manage these services in-house upon expiration of the proposed five-year extension.

FINANCIAL ANALYSIS

- **Contract Modification:** The contract was initially \$14,136,000 for a five-year term, with two (2) 24-month options-to-renew (OTR). The contract amount was modified twelve times, ten through delegated authority and two (2) by resolution, not including the two (2) OTRs. The contract currently has a cumulative allocation of \$36,961,030. **Table 1** below shows the two (2) OTRs of \$5,651,000 each and modifications over \$500,000. The amounts next to each data point represent the fund increase amount on that date.

Table 1



INQUIRY AND OBSERVATIONS

The Mayoral Memo for Resolution No. [R-889-21](#) indicates that having a competitive process for the modification could interrupt or delay current services by potentially having multiple vendors providing services at the same site, creating confusion and operational inefficiencies. The necessary justification for non-competitive processes comes from Resolution No. [R-391-17](#) that requires the County to procure competitive contracts whenever feasible instead of expanding the term or services under existing contracts and to include a written justification for non-competitive contracts.

On March 24, 2023, OCA inquired with the Strategic Procurement Department (SPD), asking if the County had conducted any market research and why a bid waiver was considered rather than a competitive solicitation process. OCA also asked why the MDAD extension was for one (1) year.

According to SPD, DSWM conducted market research. However, OCA was not provided a copy of the research. SPD and DSWM continue to struggle to place garbage truck orders due to limited vendors and the failure of existing vendors to deliver in a timely manner. To provide the services in-house, DSWM must train and explore new position classifications to transition the services.

SPD indicated that the airport-related bid waiver was regulated by Florida Statutes, and an opinion was provided by the County Attorney's Office (CAO). The CAO opined that the bid waiver for MDAD may only be for one (1) year for public health reasons, and a longer-term contract would need to be competitively solicited.

LEGISLATION OVERVIEW

County legislation guiding bid waivers and procurement processes is summarized below.

- [IO 03-38](#) *Master Procurement Implementation Order* states that competitive bid procedures may be waived if it is determined to be in the best interest of the County.
- ***Eighteen-Month Process for Re-procurement Activities:*** Resolution No. [R-718-17](#) provides that re-procurement activities should begin at least eighteen months before contracts expire to give sufficient time for competitive solicitation and best value.

Resolution Approving Additional Expenditure Authority up to \$1,750,000.00 for a Total Modified Amount of \$2,750,000 for Contract No. R1426611P1 for the Purchase of Fire Station Alerting System On-Site Maintenance and Support for the Miami-Dade Fire Rescue Department**Prime Sponsor:** None**Requester:** Strategic Procurement**Committee Action Date:** 03/14/2023-Community, Safety, Security & Emergency Management Committee**RESEARCH FINDINGS**

OCA's review of the item found no substantive legislative, procedural, or administrative non-compliance.

CONTEXTUAL INFORMATION

Item 8P7 seeks Board of County Commissioners (Board) approval of \$1,750,000 in additional expenditure authority for *Contract No. R1426611P1*. The additional funds are requested to continue purchasing maintenance and support services for the Phoenix G2 Fire Station Internet Protocol Alerting System (FSA) for the remaining 26 months of the 5-year term contract.

According to the Mayoral Memorandum, the additional expenditure is based on the projected monthly cost of \$30,000, plus contingency costs for immediate on-site services, repairs to damage caused by weather, urgent after-hours maintenance expenses, planned renovations, and services for six (6) new stations.

INQUIRY & OBSERVATIONS

OCA observed that the approximate \$30,000 monthly cost in the Mayoral Memorandum did not account for the total \$1,750,000. OCA inquired with Miami-Dade County's Strategic Procurement Department (SPD) and Fire Rescue (MDFR) on the difference between the requested amount and the estimated monthly expenditure and whether a replacement contract would be procured before the contract expires in June 2025.

MDFR indicated that the difference is for contingencies, including repair parts, damage repairs caused by weather events, and unforeseen services.

The accessed contract has two (2) five-year options-to-renew (OTRs). When asked if the County plans to procure the services through a competitive solicitation at the end of the contract's initial term in June 2025, SPD confirmed that it does not.

ADDITIONAL INFORMATION

The County initially accessed *Contract No. R1426611P1* from Broward County for a 26-month term and an allocation of \$500,000. The County has modified the contract three (3) times to pay for fire station renovation and repair services due to unforeseen weather damages and to offset an insufficient budget caused by an internal clerical error of the contract's effective date that led to a 32-month contract extension.

Resolution Approving Allocation, Subject to Availability of Recaptured Funds, of up to \$7,500,000 from Building Better Communities General Obligation Bond Program Project No. 320 – “Economic Development Fund” to City of Miami Gardens to Fund Certain Eligible Public Infrastructure Projects; Waiving General Obligation Bond Program Administrative Rule Requiring Project 320 Allocations be Made in the Maximum Amount of \$3,000,000, and Directing the County Mayor or County Mayor’s Designee to Negotiate Terms of Related Interlocal Agreement Pursuant to Bond Program’s Administrative Rules and Present such Agreement for Consideration by the Board

Prime Sponsor: Chairman Oliver G. Gilbert, III, District 1

Requester: None

Committee Action Date: 03/13/2023-Chairmans Policy Council & Intergovernmental Affairs Committee

RESEARCH FINDINGS

OCA's review of the item found no substantive legislative, procedural, or administrative non-compliance.

CONTEXTUAL INFORMATION

On November 2, 2004, County voters approved the 2.9 billion [Building Better Communities Bond Program](#), allowing the County to issue long-term general obligation bonds, which are used to fund over 300 program project funds. Each fund is established with specific eligibility requirements, components, and fund amount, including the \$15 million allocated to Project No. 320 of the Economic Development Fund (Program Fund), which is committed to funding economic development initiatives in [Targeted Urban Areas](#), defined as geographical communities designated by the Board of County Commissioners (Board). According to the [Building Better Communities General Bond Program Administrative Rules](#), the maximum allocation to any single Targeted Urban Area is \$3 million, provided the applicant meets the eligibility requirements.

Initiatives can obtain a funding allocation under Project No. 320 through Board approval and subsequent acceptance by the mayor that it meets the requirements of the Program Fund. The Board may also rescind funds previously allocated to an initiative through an item approving the rescinding of the funds, thereby freeing the recaptured money to be allocated to a new initiative under Project No. 320. Reasons for rescinding funds include: the applicant no longer wishes to pursue funding, an inability to comply with Administrative Rules, a failure to meet job requirements, or an inability to attain site control.

INQUIRY AND OBSERVATIONS

OCA’s analysis of Project No. 320 shows that there have been thirteen projects whose allocations have been adopted by the Board, four (4) of which were later disqualified or rescinded. Therefore, within Project No. 320, there are currently nine (9) projects with allocated funding. **Figure 1** shows the budget summary for the Economic Development Fund – Targeted Urban Areas (TUA), as presented in the FY 2022-23 Adopted Budget and Multi-Year Capital Plan. **Table 1** below summarizes the approved allocations for Project No. 320, while **Table 2** summarizes the disqualified or rescinded allocations.

As shown below, more funds are allocated to projects than the \$15,000,000 fund total. There would be a \$100,000 shortage if all the projects with approved allocations were fully funded. Project No. 320 does not have any additional approved projects awaiting allocation.

Figure 1

ECONOMIC DEVELOPMENT FUND - TARGETED URBAN AREAS (TUA)

PROGRAM #: 981999



DESCRIPTION:

Provide funding for economic development in TUAs from Building Better Communities General Obligation Bond (BBC-GOB) Program

LOCATION:

Countywide

District Located:

Countywide

Throughout Miami-Dade County

District(s) Served:

Countywide

REVENUE SCHEDULE:	PRIOR	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	FUTURE	TOTAL
BBC GOB Financing	4,493	2,107	5,600	2,800	0	0	0	0	15,000
TOTAL REVENUES:	4,493	2,107	5,600	2,800	0	0	0	0	15,000
EXPENDITURE SCHEDULE:	PRIOR	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	FUTURE	TOTAL
Construction	4,493	2,107	5,600	2,800	0	0	0	0	15,000
TOTAL EXPENDITURES:	4,493	2,107	5,600	2,800	0	0	0	0	15,000

Table 1

CURRENT APPROVED ALLOCATIONS FOR PROJECT NO. 320					
Resolution Approving Allocation	Date of BCC Approval	District	Allocation	Project Title	Project Status
R-901-14	10/07/2014	3	\$2,000,000	Miami Design District NE 2nd Ave	Grant agreement approved on 07/19/2016 through R-740-16
R-903-14	10/07/2014	2	\$2,000,000	Sunshine Plaza	No status updates
R-904-14	10/07/2014	2	\$200,000	St. James Smokehouse	No status updates
R-427-15	05/05/2015	3	\$2,000,000	Seventh Avenue Transit Village	No status updates
R-225-16	03/08/2016	9	\$1,500,000	South Dade Multi-Modal Transportation Development	Amendment to the interlocal agreement approved on 11/08/2018, changing the scope of work through R-1174-18
R-420-16	05/17/2016	3	\$2,000,000	Tuscany Cove	Grant agreement approved on 03/07/2023 through R-167-23
R-423-16	05/17/2016	1	\$1,100,000	The Commons	Grant agreement subsequently approved on 11/01/2016 through R-988-16
R-168-19	10/29/2019	7	\$1,500,000	Platform 3750	No status updates
R-822-20	08/31/2020	1	\$2,800,000	Wellspring Complex of Opa-Locka	Grant agreement approved on 08/31/2020 through Resolution R-822-20
Total			\$15,100,000		

Table 2

DISQUALIFIED AND RESCINDED ALLOCATIONS FOR PROJECT NO. 320					
Resolution Approving Allocation	Date of BCC Approval	District	Allocation	Project Title	Project Status
R-902-14	10/07/2014	1	N/A	Regional Health and Wellness Center and Culinary Enterprise Center	Disqualified by Administration
R-900-14	10/07/2014	3	\$3,000,000	Wynwood Plaza	Rescinded by Board
R-905-14	10/07/2014	7	\$3,000,000	Grove Village on Grand Project	Rescinded by Board
R-432-15	05/05/2015	1	\$2,800,000	Wellness Center Project	Rescinded by Board

Resolution Appointing Theodora Long to The Policy Committee of the Miami River Commission

Prime Sponsor: Commissioner Eileen Higgins, District 5

Requester: None

Committee Action Date: 03/14/2023-County Infrastructure, Operations and Innovations Committee

RESEARCH FINDINGS

OCA completed the required background research regarding the appointment of Theodora Long to the Miami River Commission. The research yielded no adverse informational findings for the appointee. This report is being provided as a supplement to BCC File Item Number 230251.

FINANCIAL ANALYSIS

N/A

ADDITIONAL INFORMATION

1. Bulleted below is the relevant legislation relating to the background research process:
 - [Resolution No. R-636-14](#), adopted on July 1, 2014, requires OCA to conduct background research on applicants being considered to serve on County Boards and Trusts that require nominations or appointments by the BCC.

CONTRIBUTORS

Daniel C. Bonilla, Associate Research Analyst

Shayna M. Cohen, MSc., Research Analyst

Jannesha V. Johnson MBA, Administrative Assistant

Stuart L. Rimland, Esq., Research Analyst

Phillip A. Rincon, MA, CPPB, Research Manager

The Office of the Commission Auditor, Miami-Dade Board of County Commissioners

The Office of the Commission Auditor (OCA) was established in September 2002 by Ordinance 03-2 to provide support and professional analysis of the policy, service, budgetary and operational issues before the Miami-Dade Board of County Commissioners. The Commission Auditor's duties include reporting to the Board of County Commissioners on the fiscal operations of County departments, as well as whether the fiscal and legislative policy directions of the Commission are being efficiently and effectively implemented.

These research notes, prepared in collaboration with the Miami-Dade County departments as subject matter experts, are substantially less detailed in scope than an audit in accordance with the Generally Accepted Auditing Standards (GAAS). The OCA plans and performs the review to obtain sufficient, appropriate evidence to provide a reasonable basis for its findings and conclusions based on its objectives; accordingly, the OCA does not express an opinion on the data gathered by the subject matter expert(s).