

# Memorandum

MIAMI-DADE  
COUNTY

**Date:** December 18, 2007

Supplement to  
Agenda Item No.  
8(O) 1(A)

**To:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**From:** George M. Burgess  
County Manager

**Subject:** Supplemental Report - Recommendation to Award Contract Nos. RFQ No. Q95A;  
Q95B; Q95D through Q95Q: Infill Housing Developer Pool

This supplemental report provides the Board of County Commissioners information on protests filed in response to recommendation to establish the Infill Housing Developer Pool.

On September 28, 2007, the Department of Procurement Management (DPM) filed a recommendation with the Clerk of the Board to award Contracts Nos. Q95A; Q95B; Q95D through Q95Q establishing the Infill Housing Developer Pool. On October 3, 2007, New Africa Developers, Inc. and Dean Development Corporation filed intents to protest the award recommendation (attached). Although, both companies notified the County of their intent to file, they did not submit the filing fee. The County Attorney's Office reviewed the filings and advised the Clerk of the Board to notify the two firms that no further action would be taken because they failed to submit the requisite filing fees (letters attached).

On October 11, 2007, Citywide Development Corporation (Citywide) filed a protest of the award recommendation. Although the protest was not timely, the firm was given an opportunity to be heard before a Hearing Examiner. The initial protest document filed by Citywide focused on the following areas:

- Proposals submitted by Citywide and Better Homes Development Corporation appearing to be collusive,
- Citywide's receipt of notification of the recommendation of award,
- Citywide's scores received from the AHS, and
- Citywide's background and previous experience.

Citywide requested and received a large number of public records regarding the RFQ, as well as additional time to review the documents. Therefore, the initial protest hearing scheduled for October 30, 2007 was rescheduled to November 7, 2007. On November 6, 2007, Citywide filed a supplement to the initial filing and requested and received another extension of the protest hearing date to November 9, 2007.

On November 9, 2007, Citywide failed to appear at the protest hearing. The Hearing Examiner's November 20, 2007 memorandum recommended the protest filed by Citywide be dismissed (attached).

As stated in the accompanying award recommendation, there are 10 firms that remain in consideration pending responsibility reviews with DPM staff, or have not finalized contracts with the County. Once finalized, a subsequent recommendation will be presented to the Board for approval.



Assistant County Manager



Harvey Ruvin  
CLERK OF THE CIRCUIT AND COUNTY COURTS  
Miami-Dade County, Florida

CLERK OF THE BOARD OF COUNTY COMMISSIONERS  
STEPHEN P. CLARK MIAMI-DADE GOVERNMENT CENTER  
SUITE 17-202  
111 N.W. 1st Street  
Miami, FL 33128-1983  
Telephone: (305) 375-5126

October 11, 2007

Mr. Jalil R. Muhammad  
Vice President  
New Africa Developers, Inc.  
6214 N.W. 18<sup>th</sup> Avenue  
Miami, FL 33147

Re: Bid No. – RFQ No. 95  
Infill Housing Developer Pool

Dear Mr. Muhammad:

The Clerk of the Board is in receipt of your bid protest filed on Wednesday, October 3, 2007, in connection with the above referenced bid.

The County Attorney's office has reviewed your Intent to Protest. However, pursuant to the terms of Miami-Dade County Code 2-8.4, Administrative Order 3-21, and the provisions of RFQ 95, you were required to submit a filing fee with the protest. Therefore, upon the advice of the County Attorney's office, no further action will be taken on your attempted bid protest because the requisite filing fee was not submitted.

If you have any questions regarding this matter, do not hesitate to contact this office.

Sincerely,  
HARVEY RUVIN, Clerk  
Circuit and County Courts

By   
Kay Sullivan, Director  
Clerk of the Board Division

KS:fed

New Africa Developers, Inc.  
6214 NW 18<sup>th</sup> Avenue  
Miami, Fl. 33147  
Phone: 786-253-9895

CLERK OF THE BOARD

2007 OCT -3 PM 4: 37

CLERK, CIRCUIT & COUNTY COURTS  
DADE COUNTY, FLA.  
#1

Clerk of the Board  
111 N.W. 1<sup>st</sup> Street, 17-202  
Miami, Fl. 3128  
(305) 375-5126

RE: RFQ No. 95

Intent to Protest

The Grounds for this Protest are based on but not limited to the following:

- 1.) Out dated and unfair selection process
- 2.) Diversion and or Theft of public monies from oppressed targeted business
- 3.) Unfair and Unsafe Environment for Business Development
- 4.) Religious and Racially bias

Sincerely,



Jalil R. Muhammad  
Vice President

Copies to all Responders



**Harvey Ruvin**  
CLERK OF THE CIRCUIT AND COUNTY COURTS  
Miami-Dade County, Florida

CLERK OF THE BOARD OF COUNTY COMMISSIONERS  
STEPHEN P. CLARK MIAMI-DADE GOVERNMENT CENTER  
SUITE 17-202  
111 N.W. 1st Street  
Miami, FL 33128-1983  
Telephone: (305) 375-5126

October 11, 2007

Mr. Eddie Dean  
Dean Development Corporation  
5779 N.W. 116<sup>th</sup> Avenue  
Doral, Florida 33178

Re: Bid No. – RFQ No, 95  
Infill Housing Developer Pool

Dear Mr. Dean:

The Clerk of the Board is in receipt of your bid protest filed on Wednesday, October 3, 2007, in connection with the above referenced bid.

The County Attorney's office has reviewed your Intent to Protest. However, pursuant to the terms of Miami-Dade County Code 2-8.4, Administrative Order 3-21, and the provisions of RFQ 95, you were required to submit a filing fee with the protest. Therefore, upon the advice of the County Attorney's office, no further action will be taken on your attempted bid protest because the requisite filing fee was not submitted.

If you have any questions regarding this matter, do not hesitate to contact this office.

Sincerely,  
HARVEY RUVIN, Clerk  
Circuit and County Courts

By   
Kay Sullivan, Director  
Clerk of the Board Division

KS:fed

Miami Dade County Clerk  
111 NW 1 St  
Suite 17202

CLERK OF THE BOARD

2007 OCT -3 PM 4:44

CLERK, CIRCUIT & COUNTY COURTS  
DADE COUNTY, FLA.  
#1

We At Dean Development Corporation  
intend to file a Bid Protest  
in reference to RFP 95 in  
which we submitted a Request  
For.

Feel free to contact us  
At 786-718-4701  
786-426-8888

Dean Development Corp  
5779 NW 116 Ave  
Doral, FL 33178

Thank you  
Eddie Dean

Leonard Rivkind  
Hearing Examiner  
15015 SW 52nd Lane  
Miami, Florida 33185  
(305) 480-8786  
SS# 012-20-1305

Board of County Commissioners  
111 NW 1st Street  
Miami, Florida 33128

RE: Citywide Development adv. Infill Housing Developer Pool, RFQ 95

The protestor failed to appear at the hearing on November 9, 2007.  
Therefore, I recommend that the protest be dismissed.  
Dated this 10 day of November, 2007.



LEONARD RIVKIND,  
Hearing Examiner.

CLERK OF THE BOARD  
2007 NOV 20 PM 3:53  
CLERK. COUNTY & COUNTY COURTS  
MIAMI COUNTY, FLA.  
#1

**FLETTAS, BUJAN & FLETTAS LLP**  
ATTORNEYS AT LAW

OCEAN BANK BUILDING, SUITE 530  
788 N.W. LEJEUNE ROAD  
MIAMI, FLORIDA 33126

TEL: (305) 442-1438  
FAX: (305) 443-8638

JESUS F. BUJAN, P.A.  
E-MAIL: Bujan@Fleittas-Bujan.com

October 2, 2007

Miriam Singer  
Director  
Miami-Dade County Department  
of Procurement Management  
111 N.W. 1 Street  
Suite 1300  
Miami, Florida 33128

Re: RFQ no. 95 infill Housing Developer Pool

Dear Mrs. Singer:

Please be advised that the undersigned Law Office represents Elena Diaz de Villegas and Citywide Development Corporation.

Our office has been provided with emails and correspondence from your office advising our client Citywide Development Corporation that the proposals submitted by Better Homes Corporation and Citywide Development Corporation created a presumption of collusion and in accordance same were being rejected.

I have spoken with County Attorney Hugo Benitez who has informed me that it is his position, and also the advise that he gave your office, that a resignation as officer and/or director and a transfer of all shares of stock by Elena Diaz de Villegas would in essence cure any alleged appearance of collusiveness. In fact, that has already taken place. If there are any misunderstandings in this regard I would like to be afforded an opportunity to clear same.

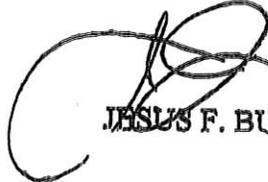
At Mr. Benitez suggestion I am respectfully requesting a meeting with you on this issue. Mr. Benitez has agreed to be present at said meeting. We would like to schedule a

meeting next Monday if you are available.

Mrs. Singer, please be advised that my client has been building affordable housing for the past 9 years. She was one of the original pioneers of the infill program and is now one of the largest. She has built over 120 affordable houses. She is licensed and insured. She has over \$ 3,000,000.00 dollars available to her in lines of credit for the construction of same. At the present time she is in the process of completing six (6) infill properties. She has every intention to continue to build affordable housing in Miami-Dade county

I will call your office tomorrow to coordinate a meeting. Thank you for your anticipated cooperation in this regard.

Very truly yours,



JESUS F. BUJAN

JFB/mb

Cc: Hugo Benitez, Esq.

November 6, 2007

2007 NOV -7 AM 11:17

CLERK, CIRCUIT & COUNTY COURTS  
DADE COUNTY, FLA.

Clerk of the Board  
Stephen P. Clark Center  
111 N.W. 1<sup>st</sup> Street  
17<sup>th</sup> Floor, Suite 202  
Miami, Fl 33128-1983

11/8  
Amos/Andrew  
please review  
with me.  
-----  
Mina

Re: Infill Housing Developer Pool  
RFQ 95

**SUPPLEMENTAL FILING  
INTENT TO PROTEST  
BY CITYWIDE DEVELOPMENT CORPORATION**

Citywide Development Corporation hereby files its Supplemental Intent to Protest to the Manager's Recommendation of RFQ 95, Infill Housing Developer Pool and as ground thereof states:

The scores given by the Evaluation Selection Committee of RFQ 95 were arbitrary, inconsistent, based on personal opinion and in complete disregard to the County Managers Memorandum, the RFQ-95 advertised document and to the factual data submitted in the RFQ 95 response.

1. Citywide Development Corporation (Citywide) is one of the pioneers of the Infill Housing Initiative. Citywide has been a participant in the Infill Housing Initiative program since 1999.
2. Citywide has built and sold and closed more than 120 Infill homes.
3. Citywide has purchased all lots with its own funds, has not obtained any lots from the County bids nor has received them through conveyances.
4. Citywide has a construction revolving line of credit of \$3,000,000.00 with SunTrust Bank.
5. Citywide has built all homes within budget in approximately 4 months.
6. Citywide has sold and closed all of its homes and has one unsold home at the present time.
7. George M. Burgess, County Manager, Memorandum dated March 22, 2007 appoints the Affordable Housing Evaluation/Selection Committee for Infill Housing Developers Pool - RFQ 95. (See Exhibit 1) In his Memorandum he states:

"Selection committee shall be responsible for evaluating, rating and ranking the proposals by each Committee member, based on the criteria and procedure contained in the advertised document..."

"You are directed to assist me in the selection process considering the factors delineated in the advertised documents. These factors may include ...qualifications and experience of principals and staff, financial stability, past performance of similar scope and schedule, proposer's previous County experience, history and experience of firm or individual(s).

8. Request for Qualifications for Infill Housing Developers Pool, RFQ 95 – the advertising document- requests interested parties to submit their qualifications for inclusion in a pool of Developers to provide Affordable Single Family Homes.

On Part 5, page 22 it gives the Proposers the requirements for the submittal of qualifications. It requests:

-Proposers shall discuss their experience in developing single family housing.

-Provide a listing of all homes sales in process, completed and not completed in the past 7 years in Attachment A.

9. The Evaluation Selection Committee did not follow the guidelines set out by the Appointment Memorandum of the County Manager.

10. The Evaluation Selection Committee did not follow the guidelines set out by the Request for Qualifications for Infill Housing Developers Pool, RFQ 95 – the advertising document- as requested by the county manager.

11. The Evaluation Selection Committee did not follow the guidelines given to them in the Instruction Sheet Guide at the Kick Off meeting of RFQ 95 held April 11, 2007, by not scoring the participants according to the Rating Guide.

12. Twenty seven (27) companies were chosen to take part in the Developer's pool, out of those companies:

-7 companies built 0 Affordable Single Family Homes (SFH)

-3 companies built less than 5 Affordable SFH

-6 companies built between 15 and 20 Affordable SFH

16 of the 27 members of the pool built from 0 – 20 Affordable SFH

Citywide has built, sold and closed approximately 120 homes and was excluded from the pool.

13. Only four 4 members of the Developer's pool have built more Single Family Affordable Housing than Citywide.

SUMMARY OF PROPOSER'S RESPONSES OF RFQ 9

Company Name	SCORE	Financial Capability 30%	Schedule & Budget 50%	Budget 20%	
1. Habitat for Humanity of Greater Miami, Inc.	966	181	17.5 Million	6-18 months	Church, social serv, media, radio, TV, Miami Herald, Miami Herald Daily, Realtor, signs, Press Release, in-person, mail out advertising
2. DFC Homes of Florida, Inc.	918	50	10 Million	Microsof Project	Realtor, signs, Press Release, in-person, mail out advertising
3. Keibo Investment, Inc.	813	13	\$500,000 Preliminary commitment	4 weeks	Advertising, direct mail, brochures, community events
4. Redevcon Corporation	806	2	100% Ability to raise	5 months	Ads, webpages, sign, events
5. Personal Paradise Developers Inc.	802	35	\$650,000 private \$450,000 FHL C	Copies not included	Miami Herald, El Nuevo Herald, Flyer
6. M&S Housing Development, LLC	779	0	\$20,000.00 Home-land Dev	3 months	Realtors, Direct Mail
7. Miami Dade Community Development, Inc.	775	16	\$750,000.00	4 months	Billboards, signs, realtors
8. Community Redevelopment Agency, Inc.	765	18	Information not provided	See Comments	News letters, signs, brochures, Miami Herald, El Nuevo Herald, News Times
9. Miami Economic Development, Inc. a Florida Ltd for Public Corp.	764	31	7 Million	Microsof Project	Ads, Brochures Signs
10. Housing Development LLC-2 ODBO Construction Corp.	747	19	1.7 Million	4 months	Sign, Brochure, Realtor
11. Custom Builders of Miami LLC	747	157	4 Million	4 months	Sign, stickers, notices
12. Dignio Construction Formaster Center, Inc.	731	200	20 Million	8 months	Radio, TV, Media Brochures
13. P&S Development, LLC	731	15	2.5 Million	5 months	Not indicated
14. Emerald Properties, LLC	725	0	Information not provided	Copies not included	No Attachments included in RFQ and Attachments were not notated
15. GVS Consulting Corp.	723	4	Information not provided	7 months	Brochure, newspaper, TV, Radio
16. Parkway Properties, Inc.	722	19	1.575 Million, Gov agencies	6 Months	Sign, Gov Pool, weekly media, churches, job
17. Miami Community Development Corporation	712	0	Information not provided	Copies not included	Media, Miami Herald, posters, billboards
18. Pacific Homes	689	38	1 Million	4 months	Realtors, signs
19. P&S Community Builders, Inc.	688	2	\$300,000	5 months	Realtor, Signs
20. GVS Consulting, 1601 F. Corp Center Corp, joint Venture	684	0	See Comments	Copies not included	RE ads, post cards The Herald, billboards
21. Miami Economic Development, Inc.	680	157	10 Million Foreignable	4 months	Copies not included
22. P&S Community Builders, Inc.	680	0	Information not provided	See Comments	Gov, billboards, newspaper, radio
23. P&S Community Builders, Inc.	646	62	3.0 Million	4 months	Miami Times
24. P&S Community Builders, Inc.	645	21	\$500,000	4-6 Months	On Occasion advice
25. P&S Community Builders, Inc.	628	0	Information not provided	See Comments	No Attachments, Large Developers, letters
26. P&S Community Builders, Inc.	616	9	Security Bank - No amount	4 months	Housing Service CDC
27. P&S Community Builders, Inc.	581	0	Particulars inside of Project	4 months	Not indicated
28. P&S Community Builders, Inc.	574	5	1 Million	4 Months	Radio, Seminars, Church, Flyer
29. P&S Community Builders, Inc.	545	4	\$417,000	Copies not included	Sign, newspaper, realtors, mail
30. P&S Community Builders, Inc.	529	25	\$400,000	7 months	County
31. P&S Community Builders, Inc.	529	25	\$555,000	Copies not included	Section 8
32. P&S Community Builders, Inc.	516	4	Copies not included	Copies not included	Media Adv, Miami Times, The Herald
33. P&S Community Builders, Inc.	505	0	No attachments	No attachments	No attachments
34. P&S Community Builders, Inc.	485	0	No attachments	No attachments	No attachments
35. P&S Community Builders, Inc.	475	0	3 Million	4 months	Flyer, M&S, sign, the Herald
36. P&S Community Builders, Inc.	447	123	3 Million	4 Weeks	Flyers, M&S, signs, realtors

**CHART IN DESCENDING ORDER OF NUMBERS OF SINGLE FAMILY AFFORDABLE HOUSES BUILT**

#	Company Name	SCORE	FEDERAL %
1	Centro Campesino Farmworker Center, Inc.	731	200
2	Habitat for Humanity of Greater Miami, Inc.	908	181
3	Custom Builder of Miami LLC	747	157
4	Miami Dade Empowerment Trust, Inc.	880	157
5	Citywide Development Corp.	447	120
6	Affordable Housing Programs Inc. & Lancaster Homes	646	82
7	Haven Economic Development, Inc., a Florida Not for Profit Corp.	764	51
8	DFC Homes of Florida, Inc.	816	50
9	Personal Paradise Developers Inc.	802	35
10	Better Homes	689	33
11	Cruz Construction Group, Inc.	529	23
12	Equitable Housing Corp.	645	21
13	Housing Development LLC & COBO Construction Corp.	747	19
14	Palmetto Homes of Miami, Inc.	722	19
15	Community Reinvestment Agency, Inc.	765	18
16	Miami Dade Community Development, Inc.	775	16
17	PHS Development, LLC.	731	15
18	Kelko Investment, Inc.	813	13
19	Affordable New Homes, Inc.	618	9
20	Contractors Resource Center, Inc.	574	5
21	H.A. Contracting Corp.	723	4
22	URGENT, Inc.	535	4
23	Town Center Properties, LLC	506	4
24	Redevoco Corporation	806	2
25	D.A. Community Builders Inc	688	2
26	New Africa Developers INC	545	1
27	NHS Housing Development, LLC	779	0
28	Emerald Developers, LLC	726	0
29	St. John Community Development Corporation	712	0
30	GO1 Marketing, LLC/H. Capo Const. Corp. Joint Venture	684	0
31	JAG Homes & Development, LLC	666	0
32	Lawrence Wright & Partners, LLC	623	0
33	La Cité Development LLC (ct. al)	581	0
34	DAME Development Corporation of South Florida, Inc.	505	0
35	Piedroba Marine Construction	495	0
36	Waterhouse Construction Group, Inc.	475	0

**CHART IN DESCENDING ORDER OF FINANCIAL CAPABILITY**

#	Company Name	SCORE	Financial Capability/80%
1	Centro Campesino Farmworker Center, Inc.	731	20 Million
2	Habitat for Humanity of Greater Miami, Inc.	908	17.5 Million
3	DFC Homes of Florida, Inc.	818	10 Million
4	Miami Dade Empowerment Trust, Inc.	680	10 Million Forgivable
5	Haven Economic Development, Inc., a Florida Not for Profit Corp.	784	7 Million
6	Custom Builder of Miami LLC	747	4 Million
7	Affordable Housing Programs Inc. & Lancaster Homes	646	3.0 Million
8	Waterhouse Construction Group, Inc.	475	3 Million
9	Citywide Development Corp.	447	3 Million
10	PHS Development, LLC.	731	2.5 Million
11	Housing Development LLC & COBO Construction Corp.	747	1.7 Million
12	Palmetto Homes of Miami, Inc.	722	1.375 Million, Gov agencies
13	Better Homes	889	1 Million
14	Contractors Resource Center, Inc.	574	1 Million
16	Miami Dade Community Development, Inc.	775	\$750,000.00
16	Personal Paradise Developers Inc.	802	\$650,000 private \$450,000 FMLC
17	Cruz Construction Group, Inc.	529	\$555,000
18	Kelko Investment, Inc.	813	\$500,000 Preliminary commitment
19	D.A. Community Builders Inc	688	\$500,000
20	Equitable Housing Corp.	645	\$500,000
21	URGENT, Inc.	535	\$400,000
22	New Africa Developers INC	545	\$117,000
23	NHS Housing Development, LLC	779	\$20,000.00 Homestead Dev
24	Redevoco Corporation	808	100% Ability to raise
25	Community Reinvestment Agency, Inc.	765	Information not provided
26	Emerald Developers, LLC	728	Information not provided
27	H.A. Contracting Corp.	723	Information not provided
28	St. John Community Development Corporation	712	Information not provided
29	GO1 Marketing, LLC/H. Capo Const. Corp. Joint Venture	684	See Comments
30	JAG Homes & Development, LLC	666	Information not provided
31	Lawrence Wright & Partners, LLC	623	Information not provided
32	Affordable New Homes, Inc.	616	Security Bank - No amount
33	La Cité Development LLC (ct. al)	581	Particular needs of Project
34	Town Center Properties, LLC	508	Copies not included
35	DAME Development Corporation of South Florida, Inc.	505	No attachments
36	Piedroba Marine Construction	495	

**RATING GUIDELINES  
EVALUATION OF PROPOSAL  
RFQ No. 95  
INFILL HOUSING DEVELOPER POOL**

	Proposer's past performance and experience and that of the subcontractors or consultants	Proposer's construction financial capability	Proposer's approach to meeting time schedule	Proposer's marketing skills and ability reach eligible household
Excellent	57-70	41-50	41-50	25-30
Very Good	43-56	31-40	31-40	19-24
Good	29-42	21-30	21-30	13-18
Fair	15-28	11-20	11-20	7-12
Poor	0-14	0-10	0-10	0-6

- Excellent:** Significantly exceeds all requirements, expectations and/or understandings
- Very Good:** Exceeds requirements, expectations and/or understandings
- Good:** Meets requirements, expectations and/or understandings
- Fair:** Meets some major and necessary requirements, expectations and/or understandings
- Poor:** Provides little or no understandings, expectations and/or requirements