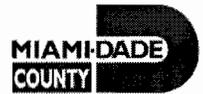


Memorandum



Date: April 21, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "Burgess", written over a horizontal line.

Supplement to
Agenda Item No. 8D1G

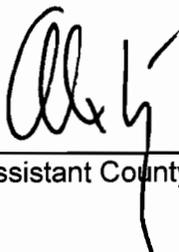
Subject: SUPPLEMENTAL INFORMATION regarding Item #091121: Contract Award Recommendation in the Amount of \$2,433,887.50 Between American Earth Movers, Inc. and Miami-Dade County for Beach Renourishment Project – Project No: BEAR2-GOB-08 ESP: Contract No: BEAR2

The County Manager's Office recently was made aware that the recommended vendor for the above-referenced contract award recommendation, American Earth Movers, Inc., is currently under investigation by the Public Corruption Unit of the Miami-Dade Police Department (MDPD) for allegedly participating in an organized scheme to defraud.

As is customary with ongoing investigations, further information and details cannot be provided in order to protect the integrity of the investigation. This has been confirmed with the MDPD.

As advised by the County Attorney's Office and in consideration of this recent information, the Board of County Commissioners may continue to approve the award of the contract to American Earth Movers, Inc.

However, should the Board choose to consider alternatives, one such option is similar to the recommendation previously made to the Budget, Planning and Sustainability Committee on March 10, 2009. Due to the critical need for the beach restoration work to proceed, it was recommended that approval be granted to waive bid protest procedures pursuant to Section 2-8.4 of the County Code; waive competitive bidding pursuant to Section 2-8.1(b) of the County Code, Section 5.03(D) of the Home Rule Charter and Florida Statutes 255.20(1)(c)1.a.b. and 255.20(1)(c)10.b.(II); and authorize the County Mayor or County Mayor's designee to advertise, award, and execute a contract. Following this expedited bidding process, the contract can be awarded for an amount that allows DERM to accomplish the most urgent beach renourishment work now while withholding the award of the balance of the entire contract until more information is obtained regarding the investigation.



Assistant County Manager