Memorandum

MIAMI-DADE COUNTY

Date: September 21, 2010

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

Agenda Item No. 8(O)(1)(B)

From: George M. Burgess
County Manager

Subject: Recommendation for Approval to Modify Contract Nos. RFP477a-d: External Independent Auditing Services

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RECOMMENDATION

It is recommended that the Board of County Commissioners approve modification of these contracts with KPMG, LLP; MarcumRachlin, a division of Marcum, LLP; and TCBA Watson Rice, LLP for contract extensions, and an increase in allocations.

CONTRACT NOS:	RFP477a, General Segment RFP477b, Aviation Segment RFP477c, Water & Sewer Segment RFP477d, Aviation Management Contracts Segment
CONTRACT TITLE:	External Independent Auditing Services
DESCRIPTION:	Modification of four current contracts for the Finance Department. The modification is needed to obtain External Independent Auditing Services for the Fiscal Year 2009-2010 audit. In accordance with the Miami-Dade County Home Rule Amendment and Charter, Section 5.03(G), the County is required to engage external independent auditors for the annual examination of the County's financial statements for the following discrete operations. 1. General Segment 2. Aviation Segment 3. Water & Sewer Segment 4. Aviation Management Contracts Segment
TYPE OF CHANGE:	Additional time and spending authority
EXISTING ALLOCATION:	$2,215,000
INCREASE BY:	$1,546,000
MODIFIED ALLOCATION:	$3,761,000
CURRENT EXPIRATION:	September 30, 2010 (RFP477a, RFP477c, and RFP477d) October 2, 2010 (RFP477b)
MODIFIED EXPIRATION:	September 30, 2011

USING/MANAGING AGENCIES AND FUNDING SOURCES:

Department	Allocation	Funding Source	Contract Manager
Finance	$ 867,000	General Fund	Carter Hammer
Aviation	$ 509,000	Proprietary Funds	Carter Hammer
Water & Sewer	$ 170,000	Proprietary Funds	Carter Hammer
Total	**$1,546,000**		
The allocation and funding source has been reviewed and approved by the Office of Strategic Business Management. There is no fiscal impact beyond what is stated in this award recommendation.			

VENDORS:

Contracts	Vendors	Address	Principal
RFP477a RFP477b	KPMG, LLP (Non-local vendor)	Three Chestnut Ridge Road Suite 2800 Montvale, NJ 07645	John B. Veihmeyer
RFP477c	MarcumRachlin, A Division of Marcum, LLP (Local vendor)	1 SE 3rd Avenue, 10th Floor Miami, FL 33131	Lawrence H. Blum
RFP477d	TCBA Watson Rice, LLP (Local vendor)	500 NW 165th Street Road #205 Miami, FL 33169	Ronald Thompkins

PERFORMANCE DATA: There are no performance issues with the recommended firms.

COMPLIANCE DATA: There are no compliance issues with the recommended firms.

CONTRACT MEASURE: No measures.

LOCAL PREFERENCE: The Local Preference was applied in accordance with the Ordinance and did not affect the outcome.

LIVING WAGE: The services being provided are not covered under the Living Wage Ordinance.

USER ACCESS PROGRAM: The User Access Program provision will apply. The 2% program discount will be collected on all purchases where permitted by funding source.

DPM AGENT/OFFICER: Annie Perez, Department of Procurement Management

REASON FOR CHANGE:

The County issued a solicitation for successor contracts. Due to unanticipated delays in the process, the award recommendation will not be presented to the Board of County Commissioners until September 2010. Audit service engagements for Fiscal Year 2009-2010 should begin no later than August 2010 in order to meet statutory requirements for completion. Therefore, it is recommended that the current contracts be extended to allow the vendors to be assigned the Fiscal Year 2009-2010 audits. The cost of the audits has been negotiated to a reduced rate that represents $218,000 in savings over last year's rates, in the aggregate for the four contracts.

To fulfill the requirements of Section 11.45 Florida Statutes, and Section 10.557, Rules of the Auditor General, timely completion of the audits is essential. Extending the current contracts will ensure that the audit services are started with sufficient time for the audit fieldwork to be completed, and financial reports and management letters to be submitted to the County, in advance of the March 31, 2011 audit due date.

Pending the results of the solicitation process, including responsibility reviews, the successor contracts will be recommended for award. The first audit conducted under the successor contracts would be for Fiscal Year 2010-2011.

These contracts represent four of the five discrete operations of the County. The fifth, Transportation Segment, expires September 30, 2010 and has one option to renew remaining. If the Board of County Commissioners approves the extension of these contracts, the County will also exercise its option to renew the Transportation Segment.

Assistant County Manager

MEMORANDUM
(Revised)

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

DATE: September 21,2010

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 8(O)(1)(B)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

✓ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(O)(1)(B)
9-21-10

RESOLUTION NO. _____

RESOLUTION AUTHORIZING ADDITIONAL TIME AND SPENDING AUTHORITY IN THE AMOUNT OF $1,546,000 FOR CONTRACTS WITH KPMG, LLP, MARCUMRACHLIN, A DIVISION OF MARCUM, LLP, AND TCBA WATSON RICE, LLP TO OBTAIN EXTERNAL INDEPENDENT AUDITING SERVICES, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE EXTENSIONS TO THE AGREEMENTS FOR AND ON BEHALF OF MIAMI-DADE 8O1 CONTRACT NOS. RFP477A, RFP477B, RFP477C AND RFP477D

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves extension of the agreements in the amount of $1,546,000 with KPMG, LLP, MarcumRachlin, A Division of Marcum, LLP, and TCBA Watson Rice, LLP, and authorizes the County Mayor or County Mayor's designee to execute same for and on behalf of Miami-Dade County.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of September, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.
Hugo Benitez

SUPPLEMENTAL AGREEMENT NO. 2

Contract Number: **RFP477a**

Contract Title: **External Independent Auditing Services For the General Segment Audit**

Contractor: **KPMG, LLP**
200 S. Biscayne Blvd., Suite 2000
Miami, FL 33131

In accordance with the above referenced Contract, this supplement when properly executed becomes a part of the Contract, effective upon execution, shall:

1. Provide for the Contract to be extended on October 1, 2010 for the period of one year.
2. Add the following language to **Article 7, Payment For Services/Amount Obligated** of the Contract:

Fiscal Year ending September 30, 2010 **$866,910.00**

All terms, covenants and conditions of the original Contract and any supplemental agreements issued thereto shall remain in full force and effect, except to the extent herein amended.

IN WITNESS WHEREOF, the parties have executed this Supplemental Agreement to County Contract No. RFP477a.

Contractor	Miami-Dade County
By: KPMG LLP	By: _____
Name: Kathy Mitchell	Name: _____
Title: Partner	Title: _____
Date: 7.2.2010	Date: _____
Attest: Mary S Wagner Corporate Secretary/Notary	Attest: _____ Clerk of the Board
Corporate Seal/Notary	Approved as to form and legal sufficiency
NOTARY PUBLIC STATE OF FLORIDA Notary Public State of Florida Mary S Wagner My Commission DD881502 Expires 04/19/2013	_____ Assistant County Attorney

SUPPLEMENTAL AGREEMENT NO. 2

Contract Number: **RFP477b**

Contract Title: **External Independent Auditing Services For the Aviation Segment Audit**

Contractor: **KPMG, LLP**
200 S. Biscayne Blvd., Suite 2000
Miami, FL 33131

In accordance with the above referenced Contract, this supplement when properly executed becomes a part of the Contract, effective upon execution, shall:

1. Provide for the Contract to be extended on October 3, 2010 for the period of one year.
2. Add the following language to **Article 7, Payment For Services/Amount Obligated** of the Contract:

Fiscal Year ending September 30, 2010 **$363,987.00**

All terms, covenants and conditions of the original Contract and any supplemental agreements issued thereto shall remain in full force and effect, except to the extent herein amended.

IN WITNESS WHEREOF, the parties have executed this Supplemental Agreement to County Contract No. RFP477b.

Contractor	Miami-Dade County
By: KPMG LLP	By:
Name: Kar Patchell	Name:
Title: Partner	Title:
Date: 7-2-2010	Date:
Attest: Mary S Wagner Corporate Secretary/Notary	Attest: Clerk of the Board
Corporate Seal/Notary	Approved as to form and legal sufficiency
Notary Public State of Florida Mary S Wagner My Commission DD881502 Expires 04/19/2013	Assistant County Attorney

SUPPLEMENTAL AGREEMENT NO. 4

Contract Number: **RFP477c**

Contract Title: **External Independent Auditing Services For the Water & Sewer Segment Audit**

Contractor: **Marcum LLP d/b/a MarcumRachlin**
One Southeast Third Avenue
10th Floor
Miami, FL 33131

In accordance with the above referenced Contract, this supplement when properly executed becomes a part of the Contract, effective upon execution, shall:

1. Provide for the Contract to be extended on October 1, 2010 for the period of one year.
2. Add the following language to **Article 7, Payment For Services/Amount Obligated** of the Contract:

Fiscal Year ending September 30, 2010 **$170,000.00**

All terms, covenants and conditions of the original Contract and any supplemental agreements issued thereto shall remain in full force and effect, except to the extent herein amended.

IN WITNESS WHEREOF, the parties have executed this Supplemental Agreement to County Contract No. RFP477c.

Contractor	Miami-Dade County
By: M. Futterman	By:
Name: MICHAEL FUTTERMAN	Name:
Title: PARTNER	Title:
Date: JULY 3, 2010	Date:
Attest: Teresa Cochran Corporate Secretary/Notary	Attest: Clerk of the Board
Corporate Seal/Notary	Approved as to form and legal sufficiency
Notary Public State of Florida Terese Cochran My Commission DD721985 Expires 11/28/2011	Assistant County Attorney

SUPPLEMENTAL AGREEMENT NO. 3

Contract Number: **RFP477d**

Contract Title: **External Independent Auditing Services For the Aviation Management Contracts Segment Audit**

Contractor: **TCBA Watson Rice LLP**
500 NW 165th Street Road, Suite 205
Miami, Florida 33169

In accordance with the above referenced Contract, this supplement when properly executed becomes a part of the Contract, effective upon execution, shall:

1. Provide for the Contract to be extended on October 1, 2010 for the period of one year.
2. Add the following language to **Article 7, Payment For Services/Amount Obligated** of the Contract:

Fiscal Year ending September 30, 2010 **$145,000.00**

All terms, covenants and conditions of the original Contract and any supplemental agreements issued thereto shall remain in full force and effect, except to the extent herein amended.

IN WITNESS WHEREOF, the parties have executed this Supplemental Agreement to County Contract No. RFP477d.

Contractor	Miami-Dade County
By: TCBA WATSON RICE LLP	By: _____
Name: Ronald Thompkins	Name: _____
Title: Managing Partner	Title: _____
Date: July 1, 2010	Date: _____
Attest: _____ Corporate Secretary/Notary	Attest: _____ Clerk of the Board
Corporate Seal/Notary	Approved as to form and legal sufficiency
	_____ Assistant County Attorney

GEORGE E. LOCKE
Comm# DD0897387
Expires 6/9/2013
Florida Notary Assn., Inc

7/2/10

10