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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: June 5, 2012

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

Agenda Item No. 8(F)(1)

From: Carlos A. Gimenez
Mayor

Resolution No. R-455-12

Subject: Recommendation to Reject Proposals Received for Polygraph Examination Services and Authorize an Extension of Contract Nos. EPP-RFP503 and EPP-RFP503A

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the rejection of all proposals received for polygraph examination services for the Miami-Dade Police, Corrections and Rehabilitation, Transit, and Public Works and Waste Management Departments. It is further recommended that the Board authorize a six month extension of the current agreements with Slattery Associates, Inc. and Jurney & Associates, Inc. This extension will ensure continuity of services through January 12, 2013, while this contract is being re-solicited. No additional allocation is needed for this extension period.

RFP NUMBER:	RFP781
RFP TITLE:	Polygraph Examination Services
TERM:	Five years
APPROVAL TO ADVERTISE:	October 31, 2011
METHOD OF AWARD:	Award to up to two responsive, responsible vendors based on the evaluation criteria established in the solicitation. A full and open competitive Request for Proposals process was used.
PREVIOUS CONTRACT AMOUNT:	The combined allocation for the current contracts is $1,225,900 for a two-year period. Due to County hiring trends in recent years, the service level required on these contracts is significantly lower than the allocation.
CONTRACT AMOUNT:	It was estimated that the resulting contracts in the aggregate would have been $1,380,000 for a five year term.

REASON FOR REJECTION

A Request for Proposals (RFP) was issued under full and open competition to solicit proposals for professional polygraph examinations and related services. These services are primarily used by the Miami-Dade Police Department (MDPD) and Miami-Dade Corrections and Rehabilitation for pre-employment selection processes and expert testimony in support of examinations.

Five proposals were received. Jurney & Associates, Inc. was one of the proposing firms. Martha Jurney is the President of, and holds a controlling financial interest in, Jurney & Associates, Inc. On November 28, 2011, MDPD Detective Kent C. Jurney, Jr. requested an opinion from the Commission on Ethics (COE) on behalf of his stepmother, Martha Jurney, as to the restrictions that would prevent Jurney & Associates, Inc. from obtaining a contract for polygraph examination services under the solicitation. The COE issued opinion No. RQO11-29 stating that Jurney & Associates, Inc. was prohibited from entering into a contract with the County for polygraph examination services because Detective Jurney is currently employed by MDPD, which is the County's agency charged with administering this contract.

In accordance with the Miami-Dade County Code, Detective Jurney filed an appeal requesting a waiver from the Board. After hearing presentations made by both the COE staff and Jurney & Associates, Inc., the Board directed the Mayor to revise the solicitation to remove MDPD as the contract administrator and assign another department in their place, and, to re-solicit the contract. As such, all proposals received will be rejected, the services are being re-solicited and we will assign a new department as contract administrator. Accordingly, all proposals received will be rejected and the services will be re-solicited.

The current services are provided by Slattery Associates, Inc. and Jurney & Associates, Inc. through Contract Nos. EPP-RFP503 and EPP-RFP503A. In June 2010, the Ethics Code was amended to prevent vendors from contracting with departments that employ their stepchildren. Jurney & Associates, Inc. was allowed to remain on the current contract as the prohibition was for prospective contract awards. A six month extension will ensure these services are available for the County's pre-employment selection processes and employee testing, if needed, while the re-solicitation of the services is completed. Additional funds are not necessary, as the current allocation will accommodate the extension period.

USING/MANAGING AGENCIES AND FUNDING SOURCES:

Department	Rejection Allocation	Funding Source	Contract Manager
Police	$850,000	General Fund	Lt. Adrianne Byrd
Corrections and Rehabilitation	$481,000	General Fund	Cmdr. John Prats
Transit	$ 37,000	MDT Operating	Angel Castro
Public Works and Waste Management	$ 12,000	Proprietary Funds	Luciano Soto
Total	$1,380,000		

PROCUREMENT CONTRACTING OFFICER: Maria Carballeira

VENDOR RECOMMENDED FOR AWARD: None

VENDORS NOT RECOMMENDED FOR AWARD:

Proposers	Reason for Not Recommending
Forensic Technologies, Inc.	Board of County Commissioner's directive
Jurney & Associates, Inc.	
Precision Polygraph & Investigations, Inc.	
Slattery Associates, Inc.	
Thomas WK Mote, LLC dba Thomas WK Mote & Associates	

REVIEW COMMITTEE DATE: October 13, 2011

CONTRACT MEASURES: A Small Business Enterprise Selection Factor is applicable in accordance with the Ordinance.

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

USER ACCESS PROGRAM: The User Access Program provision is applicable.

LOCAL PREFERENCE: The Local Preference is applicable in accordance with the Ordinance.

Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: June 5, 2012

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

SUBJECT: Agenda Item No. 8(F)(1)

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(F)(1)
6-5-12

RESOLUTION NO. R-455-12

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO REJECT PROPOSALS RECEIVED FOR POLYGRAPH EXAMINATION SERVICES AND AUTHORIZING A SIX-MONTH EXTENSION OF CONTRACT NOS. 503 AND 503A WITH SLATTERY ASSOCIATES, INC. AND JURNEY & ASSOCIATES, INC., RESPECTIVELY RFP No. 781

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 the rejection of proposals received for Request for Proposals No. 781 for the polygraph examination services, and authorizes a six-month extension of Contract Nos. 503 and 503A with Slattery Associates, Inc. and Jurney & Associates, Inc., respectively.

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

Joe A. Martinez, Chairman			**absent**
Audrey M. Edmonson, Vice Chairwoman			**aye**
Bruno A. Barreiro	**absent**	Lynda Bell	**aye**
Esteban L. Bovo, Jr.	**aye**	Jose "Pepe" Diaz	**absent**
Sally A. Heyman	**aye**	Barbara J. Jordan	**absent**
Jean Monestime	**aye**	Dennis C. Moss	**aye**
Rebeca Sosa	**aye**	Sen. Javier D. Souto	**aye**
Xavier L. Suarez	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of June, 2012. 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

Approved by County Attorney as
to form and legal sufficiency.

By: **Christopher Agrippa**
Deputy Clerk

Oren Rosenthal