



OFFICE OF CAPITAL IMPROVEMENTS – OCI
Miscellaneous Construction Contract (MCC) Program

Bulletin # MCC-10005

JULY 29, 2010

IG APPLICABILITY ON ARRA-FUNDED PROJECTS

Dear MCC User,

This email is just a friendly reminder that **the ¼ of 1% typically included for the Inspector General should not be included in any federally funded projects** (see CAO email below).

Please make sure to include such information on your federally funded RPQs and/or in your bid documents for such projects.

Let me know if you have any questions.

Thank you,

Ultimo De Oliveira
Capital Improvements Analyst
Office of Capital Improvements - OCI
Miami-Dade County
111 NW 1st Street, Suite 2130
Miami, FL 33128
Phone: 305-375-5265
Fax: 305-372-6130
Email: Ultimo@miamidade.gov

"Delivering Excellence Every Day"

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.



-----Original Message-----

From: Cutie, Ralph (OCI)
Sent: Thursday, July 29, 2010 3:22 PM
To: Finol, Ana (OCI); De Oliveira, Ultimo (OCI)
Subject: FW: Legal Question - IG Applicability on ARRA-funded projects

-----Original Message-----

From: Libhaber, Bruce (CAO)
Sent: Wednesday, July 07, 2010 4:26 PM
To: Cutie, Ralph (OCI)
Subject: RE: Legal Question - IG Applicability on ARRA-funded projects

Ralph:

You are correct. The ¼ of 1% typically included for the Inspector General should not be included in federally funded projects. Therefore, the ARRA funded projects should not include the IG ¼ of 1% language.

Bruce Libhaber
Assistant County Attorney

From: Cutie, Ralph (OCI)
Sent: Wednesday, July 07, 2010 2:25 PM
To: Libhaber, Bruce (CAO)
Cc: Navarrete, George (OCI); Finol, Ana (OCI)
Subject: Legal Question - IG Applicability on ARRA-funded projects

Bruce,

The subject question is similar to a question that I posed to you in May of last year regarding the applicability of federal requirements on ARRA-funded projects (see e-mail below for reference). As you recall, in our previous life at MDT, we did not include the IG allowance in our FTA-funded contracts because this was not allowed under the federal requirements.

The current question is - if a project is ARRA-funded, is the IG requirement similarly disallowed? We think it is based on your opinion below but we wanted to confirm.

Please let me know. Thanks.

Ralph.

Ralph Cutié
Manager, Project Scheduling and Compliance
Office of Capital Improvements (OCI)
General Obligation Bond (GOB) Division
111 N.W. 1st Street
Suite 2130
Miami, Florida 33128-1926
Office: 305-375-1457, Fax: 305-372-6130
[e-mail: rcutie@miamidade.gov](mailto:rcutie@miamidade.gov)
"Delivering Excellence Every Day"



-----Original Message-----

From: Libhaber, Bruce (CAO)

Sent: Tuesday, May 19, 2009 3:06 PM

To: Cutie, Ralph (OCI)

Cc: Navarrete, George (OCI)

Subject:

In response to your inquiry, please be advised that the standard federal requirements do apply to the ARRA ("stimulus") funds. Thus FTA, FAA, etc. regulations would apply as applicable. Therefore, where there is a DBE requirement, no CBE or CSBE measures should be applied. Local Preference (with the narrow exception for A/E contracts) should not be utilized. Buy America should apply. Of course, regulations may vary between FTA, FAA, and Federal HUD may have differing regulations.

If you have any further questions, please do not hesitate to contact me.

Sincerely,
Bruce Libhaber
Assistant County Attorney

◆◆◆