



Miami-Dade Board of County Commissioners
Office of the Commission Auditor

**Economic Development and Tourism
Committee (EDTC) Meeting**

April 19, 2018
1:30 P.M.
Commission Chambers

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**EDTC Meeting: April 19, 2018
Research Notes**

**Item No. 3A
File No. 180777**

Researcher: BM Reviewer: TD

RESOLUTION APPROVING AWARD OF THE PROFESSIONAL SERVICES AGREEMENT TO LEA + ELLIOTT, INC. FOR AN AUTOMATED PEOPLE MOVER SYSTEM CONSULTANT AT MIAMI INTERNATIONAL AIRPORT, PROJECT NO. E15-MDAD-04; IN AN AMOUNT NOT TO EXCEED \$12,630,250 FOR A TERM OF FIVE YEARS WITH A FIVE YEAR OPTION TO EXTEND; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE TERMINATION AND EXTENSION PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve this Resolution approving the award of Professional Services Agreement (PSA) for the Automated People Mover (APM) System Consultant at the Miami International airport (MIA) with Lea + Elliot, Inc. (L+E) in the amount of \$12,630,250.

APPLICABLE LEGISLATION/POLICY

Code Section 2-8.3 of Miami-Dade County requires the County Mayor to review responses to solicitations and to recommend the appropriate action to the County Commission. The recommendation shall be in writing, filed with the Clerk of the Board, and mailed to all participants no later than 10 days prior to any Commission meeting in which such recommendation is scheduled to be presented. The Board may waive the requirements of this section by a 2/3 vote of the County Commission.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.3MARE

Code Section 2-11.16 of Miami-Dade County governs County construction contracts as it applies to competitively bid County contracts in excess of one hundred thousand dollars (\$100,000.00) for the construction, alteration, and/or repair, including painting or decorating, of public buildings or public works.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-11.16COCOCO

Resolution R-187-12 adopted February 21, 2012 directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://www.miamidade.gov/govaction/legistarfiles/Matters/Y2012/120287.pdf>

Chapter 2-10.4, of the Miami-Dade County Code, *Acquisition of professional architectural, engineering, landscape architectural or land surveying and mapping services*, governs certification, selection and negotiation procedures.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE&showChanges=true

**EDTC Meeting: April 19, 2018
Research Notes**

Florida Statutes, Chapter 287.055, *Acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services; definitions; procedures; contingent fees prohibited; penalties*, governs certification, selection and negotiation procedures.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0287/Sections/0287.055.html

PROCEDURAL HISTORY

Prime Sponsor: None

Requester/Department: Aviation Department

This Item has no procedural history.

FISCAL IMPACT

The total maximum contract amount is \$12,630,250 as stated per the agreement. Funding will be provided by the Miami-Dade County Aviation Department (MDAD) Operating Budget and Airport Revenue Funds. The contract period is for a five-year term, with an optional five-year option to renew term.

ANALYSIS

If this item receives Board approval it will award the contract to Lea + Elliot, Inc. support and ongoing APM operations and maintenance, System Safety Program Plans, and other technical support services for the all of the three systems in the MIA for a contract term of five years with a five year options to renew.

The support and ongoing APM operations and maintenance will occur at MIA. L+E will provide support for all three APM Systems: (1) the North Terminal Skytrain; (2) the MIA Move; and (3) the system connecting the main terminal and Satellite E gates. The engagement of L+E mitigates the risks associated with maintenance and operations of the mission-critical transportation systems. There are approximately 1.25 miles of line which provided service to approximately 40 million travelers.

L+E was one of two proposals received in response to the Notice to Professional Consultants issued on April 5, 2016 under full and open competition. L+E offers planning services for a broad range of transportation technologies within the public-private sector. They are located in South Florida and have been in business since 1973. L+E was the raked highest by the Competitive Selection Committee. The other company was Jakes Associates, Inc.

L+E provides similar service for airport people movers at the following airports:

- Dallas/Fort Worth International Airport Skylink
- Singapore Changi International Airport People Mover System
- Hartsfield-Jackson Atlanta International Airport SkyTrain
- Minneapolis-St. Paul International Airport APMs
- Phoenix Sky Harbor International Airport PHX Sky Train®
- Washington Dulles International Airport AeroTrain

Per the contract agreement the initial term is for five years with a five-year option to renew at a maximum of \$12,630,050.

**EDTC Meeting: April 19, 2018
Research Notes**

As it relates to Small Business Enterprise, the contract requires the assignment goal of 6 percent for Architecture and Engineering, and 4.5 percent for Goods and Services. Six subconsultants have been identified at a value of approximately \$1.3 million. Of the subconsultants all have addresses within the County. Below is a list of the subconsultants identified:

- Brindley Pieters & Associates, Inc.
- Cenoffi Inc. d/b/a/ Best Office Products
- F.R. Aleman & Associates, Inc.
- Lithografikos LLC d/b/a Minuteman Press
- Louis J. Aguirre & Associates, P.A.
- LPI, Inc.

Summarized below are some main points of the scope of service to be performed by L+E:

- Oversee and regularly audit operations and maintenance of the APM Systems for conformance with established procedures, verify performance levels to contractual measures, investigate and identify reasons for not meeting performance levels, and identify/recommend potential mitigation;
- Address performance levels including but not limited to on-time performance and system availability, including fleet and station availability; and
- Support the Safety & Security Committee (SSC) which is comprised of MDAD Maintenance, Landside and Terminal Operations staff, Miami-Dade Fire Rescue, Miami-Dade Police, Customs and Border Protection (CBP), the O&M contractors (Mitsubishi/Crystal Movers and Leitner-Poma), DTPW and L+E including initiating and auditing implementation of the System Safety Program Plan (SSPP) by the operations and maintenance (O&M) contractors as part of the SSPP audits to be performed by the Florida Department of Transportation

The Aviation Department advised that the recommended vendor, L+E is the current incumbent and has been for approximately ten years. The company has over 40 years of relevant experience. The funding for the services agreement will be based on service orders.

ADDITIONAL INFORMATION

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Lea + Elliot, Inc., has an active status as a Florida For Profit Corporation and first filed and registered on 02/05/1989. The company is registered locally at the following address: 5200 Blue Lagoon Drive, Miami, FL 33126.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=LEAELLIOTT%20P271950&aggregateId=forp-p27195-5b266282-0001-491d-9f04-a79ac6b9f4ab&searchTerm=Lea%20%2B%20Elliot%2C%20Inc&listNameOrder=LEAELLIOTT%20P271950>

**EDTC Meeting: April 19, 2018
Research Notes**

**Item No. 3B
File No. 180330**

Researcher: BM Reviewer: TD

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$575,000.00 FOR PREQUALIFICATION POOL NO. 8341-1/18-1 FOR PURCHASE OF EQUIPMENT RENTALS FOR PORTMIAMI

ISSUE/REQUESTED ACTION

Whether the Board should approve a resolution additional expenditure authority for Prequalification Pool No. 8341-1/18-1, Equipment Rental, for PortMiami in the amount of \$575,000 for the rental of tents and associated equipment for cruise passenger during anticipated capital improvement projects.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code, Contracts and purchases generally, relates to the bid requirement for certain purchases. Per the County Code, the Board of County Commissioners, upon written recommendation of the Mayor or Mayor's designee, may, by resolution adopted by two-thirds vote of the members present, waive competitive bidding when it finds this is to be in the best interest of the County.

Below is a link relating to Section 2-8.1 of the County Code:

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTINGE_S2-8.1COPUGE

Implementing Order 3-38, Master Procurement Implementing Order, establishes the roles and responsibilities of the Internal Services Department (ISD), methods of purchasing goods and services, and the authority to award contracts. Additional policies and procedures relating to the County's procurement processes are detailed in the ISD Procurement Guidelines, other A.O.s and the County Code.

Below is a link relating to Implementing Order 3-38:

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

Resolution No. R-187-12, adopted by the Board on February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

Below is a link to Resolution No. R-187-12:

<http://intra/gia/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Resolution No. R-1425-08, adopted by the Board on December 16, 2008, established a pool for the rental of special event equipment, such as tents, tables and chairs, linens, lights, stage equipment, podiums and microphones.

Below is a link to Resolution No. R-1425-08

<http://intra/gia/legistarfiles/Matters/Y2008/083571.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

This item has no procedural history.

**EDTC Meeting: April 19, 2018
Research Notes**

FISCAL IMPACT

The \$575,000 additional expenditure allocation request is based on PortMiami anticipated needs. If the proposed resolution is approved by the Board, the cumulative contract value for prequalification pool will be \$6,225,000 and will expire on January 31, 2019.

Per information found in the Bid Tracking System on April 18, 2018, \$3,075,000 has been allocated to the current contract's Blanket Purchase Order, of which \$2,798,707 has been released leaving a balance of \$276,293.

ANALYSIS

Prequalification Pool No. 8341-1/18-1, Equipment Rental, for PortMiami was approved by the Board on December 16, 2008, pursuant to Resolution No. R-1425-08 for a five-year term, with one, five-year option to renew term. The contract currently expires on January 31, 2019.

PortMiami is investing in new berths and cruise terminals, intermodal and parking facilities the meet the demand of larger modern vessels. There has been an increase in the need of temporary tent facilities due to the enhancements planned to the cruise terminal. The proposed resolution recommends the increase in additional expenditure to cover the costs for additional rental costs.

Per information on the Bid Tracking System, as of April 18, 2018, there are currently nine prequalified vendors in the pool. All of the prequalified vendors have local addresses. The pool is meant to remain open so that vendors can be added to the pool at any time. A search of the Sunbiz website revealed that all of the vendors are currently registered to do business in the state of Florida. Below is a list of the prequalified vendors in the pool:

- **A 2 CHANCE PARTY RENTAL INC**

- EBERSHOFF LLC**

- ABC PARTY RENTAL INC**

- A NAVAS PARTY PRODUCTIONS INC**

- FIESTA CAROUSEL INC**

- FIESTA CAROUSEL INC.**

- FIESTA CAROUSEL INC**

- GLENS TENTS & TABLE RENTAL SERVICE INC**

- MIAMI GRANDSTAND ENTERTAINMENT CORP**

- SBS INVESTMENTS OF DADE COUNTY INC**

- ECONOMY PARTY & TENT RENTAL INC**

A search of the Miami-Dade County Small Business Enterprise Certified Firms list, as April 18, 2018, resulted in the following local vendor under Commodity Code 98172 - Tents, Tarpaulins and Supplies Rental or Lease: A 2ND CHANCE PARTY RENTAL, INC. This vendors is currently in the prequalification pool.

**EDTC Meeting: April 19, 2018
Research Notes**

Item No. 3C

File No. 180680

Researcher: JFP Reviewer: TD

RESOLUTION AUTHORIZING THE DISBURSEMENT OF \$500,000.00 FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND TO CONDUCT ENVIRONMENTAL ENHANCEMENT IN BISCAYNE BAY THROUGH THE MIAMI-DADE COUNTY ARTIFICIAL REEF PROGRAM

ISSUE/REQUESTED ACTION

Whether the Board should authorize the disbursement of \$500,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund to conduct environmental enhancement in Biscayne Bay through the Miami-Dade County Artificial Reef Program.

APPLICABLE LEGISLATION/POLICY

Section 24-40 of the Code of Miami-Dade County creates the Biscayne Bay Environmental Enhancement Trust Fund [https://library.municode.com/fl/miami - dade county/codes/code_of_ordinances?nodeId=PTHICORR_CH24ENPRBIBAENDEAQPACOARBIBAENENTRFUENENLAPR_ARTIINGE_DIV4TRFE_S24-40BIBAENENTRFU](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTHICORR_CH24ENPRBIBAENDEAQPACOARBIBAENENTRFUENENLAPR_ARTIINGE_DIV4TRFE_S24-40BIBAENENTRFU)

Ordinance No, 18-30, adopted on March 6, 2018, amends Section 24-40 of the Code of Miami-Dade County to increase the scope of the Biscayne Bay Environment Trust Fund, allowing funds to be used towards artificial reefs and mooring buoys in the coastal waters of Miami-Dade County beyond Biscayne Bay. The funds from this disbursement will be used for artificial reefs located within Biscayne Bay. <http://intra/gia/matter.asp?matter=172637&file=true&yearFolder=Y2017>

PROCEDURAL HISTORY

**Prime Sponsor: Economic Development and Tourism Committee
Department/Requester: Regulatory and Economic Resources**

This item was adopted on first reading by the Board on December 5, 2017.

FISCAL IMPACT

This Resolution authorizes the disbursement of \$500,000 from the Biscayne Bay Environmental Enhancement Trust Fund. The unencumbered balance of Biscayne Bay Environmental Enhancement Trust Fund as of January 31, 2018 is \$5,392,000.

ANALYSIS

The proposed Resolution requests authorization of the disbursement of \$500,000 from the Biscayne Bay Environmental Enhancement Trust Fund to the Miami-Dade Department of Regulatory and Economic Resources for habitat and fisheries enhancement, maintenance, and monitoring of Biscayne Bay artificial reefs as part of the County's Artificial Reef Program, whose main focus is habitat restoration and enhancement.

The construction of artificial reefs attracts and supports marine life. While the funds from this disbursement will be used for artificial reefs located within Biscayne Bay, the ecological benefits extend far beyond the immediate area. In addition to aiding marine life, reefs in South Florida are critically important primarily due to the role they play in

**EDTC Meeting: April 19, 2018
Research Notes**

decreasing wave speed, thus protecting our coastal communities from the effects of storms, wave damage, and erosion.

Miami-Dade County's Artificial Reef Program was established in 1981 and is currently managed by Environmental Resources Management's Restoration and Enhancement Section. It is currently funded through state and federal grants, permit or mitigation obligation, and private or corporate donations.

ADDITIONAL INFORMATION

Miami-Dade County's Artificial Reef Program webpage:

<https://www.miamidade.gov/environment/reefs-artificial.asp>

The following questions were posed on 4/18/18 to the Department of Regulatory and Economic Resources:

- 1) How many artificial reefs are expected to be constructed with the funding?
- 2) Who does the actual construction of artificial reefs? Is it County employees, or are private companies utilized?
- 3) What other disbursements have been made from the Environmental Enhancement Trust Fund in FY 2017-18?

**EDTC Meeting: April 19, 2018
Research Notes**

**Item No. 3D
File No. 180893**

Researcher: BM Reviewer: TD

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; RATIFYING AN EMERGENCY PURCHASE IN THE AMOUNT OF \$541,000.00 FOR THE PURCHASE OF PARKING ACCESS REVENUE CONTROL SYSTEM EQUIPMENT AND UPGRADES FOR THE AVIATION DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should approve a resolution ratifying an emergency contract award, E9952-AV, Parking Access Revenue Control System, in the amount of \$541,000 for the Aviation Department. The item further waives formal bid procedures pursuant to Section 5.03(D) of the Home Rule Charter and Section 2-8.1 of the County Code.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the Code of Miami-Dade County requires formal sealed bids for purchases over \$250,000; describes the circumstances under which non-competitive purchases may be approved; establishes requirements for legacy purchases, designated purchases, and single vehicle leases; provides that procurement procedures shall be established by I.O. and approved by the Board.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTINGE_S2-8.1COPUGE

Implementing Order 3-38 governs the County's processes and procedures for the purchase of goods and services including professional services. It establishes the roles and responsibilities of the Internal Services Department, methods of purchasing goods and services, and the authority to award contracts. Contains requirements for access contracts, emergency purchases, bid waivers, confirmation purchases, and sole sources. Under I.O. 3-38, an emergency purchase is an unforeseen or unanticipated urgent and immediate need for goods or services where the protection of life, health, safety or welfare of the community or the preservation of public properties would not be possible using any of the other purchasing methods described in the Implementing Order, including a bid waiver.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

Section 5.03(D) of the Home Rule Charter of Miami-Dade County governs contracts for public improvements and purchases of supplies, materials, and services other than professional shall be made whenever practicable on the basis of specifications and competitive bids.

<http://www.miamidade.gov/charter/library/charter.pdf>

Resolution No. R-187-12, adopted by the Board on February 21, 2012, directed the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/matter.asp?matter=120287&file=true&yearFolder=Y2012>

**EDTC Meeting: April 19, 2018
Research Notes**

Resolution No. R-831-17, adopted by the Board on October 3, 2017, rejected all three proposals received for the Request for Proposals.

<http://intra/gia/legistarfiles/MinMatters/Y2017/172053min.pdf>

Resolution No. R-454-13, adopted by the Board on January 4, 2013, directs the Mayor to bring emergency contract ratifications and retroactive contract modifications to the Board within 120 days of such emergency.

<http://intra/gia/legistarfiles/MinMatters/Y2013/131016min.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Requester: Aviation Department

This item has no procedural history.

FISCAL IMPACT

This item is requesting Board ratification for an emergency purchase totaling \$541,000.

ANALYSIS

This item seeks ratification of an emergency contract award, E9952-AV, Parking Access Revenue Control System, in the amount of \$541,000 for the Aviation Department.

Resolution No. R-454-13, adopted by the Board on January 4, 2013, requires emergency contract ratifications and retroactive contract modifications be presented to the Board within 120 days of such emergency. The purchase order for this emergency purchase was issued on January 3, 2018. The item is slated for Board ratification at the May 1, 2018 meeting.

Under I.O. 3-38, an emergency purchase is an unforeseen or unanticipated urgent and immediate need for goods or services where the protection of life, health, safety or welfare of the community or the preservation of public properties would not be possible using any of the other purchasing methods described in the Implementing Order, including a bid waiver. In the event a department director or authorized designee determines that an emergency purchase is necessary, a contract may be awarded without utilizing the competitive bid procedures regardless of the amount of expenditure. Within five working days after the purchase, the County department shall submit the post award requisition to ISD specifying the circumstances which justified the emergency contract award. When the expenditure is in excess of \$250,000, the ISD Director shall forward the documented circumstances to the County Mayor for presentation to the Board of County Commissioners for ratification.

In this item, an emergency purchase order was created to replace end-of-life lane computers, server components, operating systems, and associated hardware to mitigate the risks associated with system failure at MIA. The system's emergency upgrades are intended to keep the current system operational until a new system is selected and implemented. Due to the proprietary nature of the system and urgent need, a procurement process would not be feasible. Some of the critical operational and security functions of the system are listed below:

- Integration with Airport's Security Badge System
- Sunpass
- License Plate Recognition
- Credit Card Processing

**EDTC Meeting: April 19, 2018
Research Notes**

- Florida Department of Law Enforcement's Auto Theft System

Resolution No. R-831-17, adopted on October 3, 2017, approved rejection of all of the proposals received on June 3, 2016 to establish a long term replacement contract for the system. It was previously communicated by the Aviation Department that the system is operating and that the maintenance contract is on a month-to-month.

It is unclear from the Mayoral memorandum if the emergency contract vendor, Conduent Transport Solutions, Inc. (Conduent), is the current vendor under the month-to-month. There were three vendors who responded to the Request for Proposal issued in 2016. However, two vendors were deemed non-responsive. Conduent, per Sunbiz.org, has its principal address in Georgia and does not have a local address in the County.

As of April 18, 2018, OCA found the following Certified SBEs with the corresponding Commodity Code 91828 - Computer Hardware Consulting:

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| 4IT, INC. |
| ADVANCED TOTAL SYSTEMS, INC. |
| AFL INTERNATIONAL CONSULTING STAFF & |
| ATS COM INC |
| CIVIL WORKS, INC. |
| EB TECH CONSULTING, INC. |
| GALACTIC TECHNOLOGY GROUP, LLC |
| GEEK USA, LLC. |
| GIGANETWORKS, INC. |
| GLASS LAND ACQUISITION SERVICE |
| IMAAS CONSOLIDATED, INC. |
| Johnstek, Inc. |
| M. Gill & Associates, Inc. |
| MERIDIAN PARTNERS, LLC |
| MILIAN, SWAIN & ASSOCIATES, INC. |
| Mosscorp Corporation |
| Network & Communication Services, Inc. |
| NEXT TECHNOLOGY CONSULTING, INC. |
| PC Solutions & Integration, Inc. |
| SAABY CONSULTING COMPANY |
| SAFCO SYSTEMS, INC. |
| SOUTHERN DATA SYSTEMS, INC. DBA |
| ST. MARTIN CONSULTING LLC |
| SYTEC-USA, INC. |
| THINK FORWARD CONSULTING, INC. |
| TNR ACCOUNTING SERVICES, INC |
| TRANSAMERICA TRAINING MANAGEMENT, |
| TRUST TECHNOLOGY SOLUTIONS, INC. |