



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

Transportation & Ports Committee (TAPS) Meeting

February 13, 2019
9:30 A.M.
Commission Chambers

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Research Notes**

Item No. 3A

File No. 190155

Researcher: MF Reviewer: TD

RESOLUTION RELATING TO MIAMI-OPA LOCKA EXECUTIVE AIRPORT APPROVING THE FIRST AMENDMENT TO THE LEASE BETWEEN MIAMI-DADE COUNTY AND DAVID N. SCHAECTER, PROVIDING FOR A TERM OF FIFTEEN YEARS, AND FOR INCLUSION OF AN ADDITIONAL 12,049 SQUARE FEET OF PAVEMENT, AND FOR PAYMENT OF FAIR MARKET RENT DURING THE EXTENDED TERM; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE PROVISIONS CONTAINED THEREIN; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE A COPY OF THE LEASE AMENDMENT TO THE PROPERTY APPRAISER

ISSUE/REQUESTED ACTION

Whether the Board should approve the First Amendment to the lease at Miami-Opa Locka Executive Airport between Miami-Dade County and David N. Schaecter, providing for a term of fifteen years, and for inclusion of an additional 12,049 square feet of pavement, and for payment of fair market rent during the extended term.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-160-00, adopted by the Board on February 24, 2000, awarded four advertised non-aviation leases for vehicular parking at Opa-Locka Airport to the sole bidders for such leases: Miami Lakes Office Center; David and Marvis Schaecter; Corporate Courts at Miami Lakes; and A-1 Master Auto Care, for terms of five years each with options to renew for five additional terms of one year each.

(The resolution is not in Legistar. A copy of the resolution can be consulted at the Clerk of the Board Division.)

Resolution No. R-885-13, adopted by the Board on November 5, 2013 approved a Lease Agreement with David N. Schaecter for 1.02 acres of land at Miami-Opa Locka Executive Airport for a ten year term in the annual rental amount of \$20,506.34.

<http://intra/gia/matter.asp?matter=132054&file=true&yearFolder=Y2013>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Barbara J. Jordan, District 1

Department/Requester: Aviation

The proposed resolution has no procedural history.

ANALYSIS

The proposed resolution seeks the Board's approval of the First Amendment to the lease at Miami-Opa Locka Executive Airport between Miami-Dade County and David N. Schaecter, providing for a term of fifteen years, and for inclusion of an additional 12,049 square feet of pavement, and for payment of fair market rent during the extended term.

The parcel at issue is not developable, as it is located in the runway protection zone, and has limited access except through an adjacent parcel owned by Mr. Schaecter. Because of these restrictions, when the County solicited bids in 2000 for this parcel, only Mr. Schaecter responded. Pursuant to this bid, the County and Mr. Schaecter entered into a Lease Agreement through Resolution No. R-160-00 beginning on March 1, 2000 for 56,628 square feet of land and pavement to be used for a automobile parking lot west of the airport's North Runway for a five-year term with five one-year options to renew. On February 1, 2009, the parties entered into a First Amendment to decrease the square footage of the premises to 44,579 square feet.

On November 5, 2013, the Board adopted Resolution No. R-885-13, which approved a Lease Agreement with David N. Schaecter for 1.02 acres of land at Miami-Opa Locka Executive Airport for a ten year term in the annual rental amount of \$20,506.34. This Lease Agreement expires on August 31, 2023.

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Mr. Schaecter owns an office building south of the vehicular parking area and plans on making substantial improvements to the building to increase the existing office space and to expand the parking lot area for new tenants. The Amended Lease Agreement adds 15 years to the current lease and provides the additional parking space required by leasing an additional 12,049 square feet of land and pavement.

The proposed resolution would provide have a positive fiscal impact to the County. According to the Fiscal Impact Statement, with the addition of 12,049 feet of land and pavement, Mr. Schaecter will pay annual land rent in the amount of \$30,239.35, which includes the yearly lease rate of \$6,385.97 for the additional square footage of land and pavement.

The land rent rates for the remaining years of the current 10 year-lease will increase yearly by three percent. The land rent rates for the proposed time expansion of 15 years (years 11-25 of the lease term) will be evaluated on an annual basis by an appraiser under contract with the Miami-Dade Aviation Department. If there is a change in the market rates for those years, the rental rate will be adjusted accordingly.

ADDITIONAL INFORMATION

Miami-Opa Locka Executive Airport (OPF) is located 10 minutes from the Hard Rock Stadium (home of the Miami Dolphins) and 35 minutes from Marlins Park (home of the Florida Marlins), 35 minutes from Downtown Miami, 30 minutes from Miami Beach and only 20 minutes from Miami International Airport. Designated as a reliever to Miami International Airport, Miami-Opa Locka Executive Airport features no landing fees and quick access. The airport offers full fixed-based operators (FBO) service, a wide range of aircraft repair and maintenance services, including airframe, power plant and avionics repair, and US Custom Service on the airfield. The airport is also home to the busiest U.S Coast Guard Air/Sea Rescue Station.

<http://www.miami-airport.com/opalocka.asp>

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**Item No. 3B
File No. 190156**

Researcher: IL Reviewer: TD

RESOLUTION APPROVING A PIG LAUNCHER EQUIPMENT LICENSE AGREEMENT WITH PIVOTAL UTILITY HOLDINGS, INC. D/B/A FLORIDA CITY GAS (FCG) AND FLORIDA GAS TRANSMISSION COMPANY, LLC (FGT), FOR AN INITIAL ANNUAL LICENSE FEE OF \$16,178.00, TO ALLOW FCG TO INSTALL AND OPERATE A PIG LAUNCHER EQUIPMENT AND ASSOCIATED FACILITIES FOR USE ON FGT'S NATURAL GAS PIPELINE ON PROPERTY CURRENTLY LICENSED BY FGT UNDER AN EXISTING NATURAL GAS LICENSE AGREEMENT; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUCH LICENSE AGREEMENT AND EXERCISE THE PROVISIONS THEREIN, INCLUDING TERMINATION

ISSUE/REQUESTED ACTION

Whether the Board should approve an agreement between the County and Pivotal Utility Holdings, Inc. dba Florida City Gas (FCG) and Florida Gas Transmission Company, LLC (FGT) for an initial annual license fee of \$16,178.00 allowing FCG to install and operate Pipeline Inspection Gauges (PIG) Launcher equipment and associated facilities for use on FGT's natural gas pipeline on property currently licensed by FGT under an existing natural gas license agreement.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-649-15 (*Florida Gas Transmission*) adopted July 14, 2015, approving twenty-five year license agreement with Florida Gas Transmission Company, LLC (FGT) for FGT's operation and maintenance of a twelve-inch pipeline at Miami International Airport at an annual license fee initially in the amount of \$43,524.25.

<http://www.miamidade.gov/govaction/matter.asp?matter=151391&file=true&fileAnalysis=false&yearFolder=Y2015>

Definition:

PIG Launcher- A pig launcher is a device which uses a pressurized container to shoot a cleaning device ("pig") through the pipeline to perform a variety of functions including cleaning, monitoring, and maintaining of the pipe.

<https://pipingtech.com/resources/faqs/what-is-a-pig-launcher/>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Rebecca Sosa, District 6

Department/Requester: Aviation Department

ANALYSIS

This item seeks to approve the installation, operation, maintenance and repair of PIG Launcher equipment to an existing Natural Gas Pipeline located at Miami International Airport (MIA) operating under an existing license agreement between Miami-Dade County and FCG/FGT for an initial annual license fee of \$16,178.00 allowing FCG to install and operate Pipeline Inspection Gauges (PIG) Launcher equipment and associated facilities for use on FGT's natural gas pipeline on property currently licensed by FGT under an existing natural gas license agreement.

This resolution has no negative fiscal impact to the County. FGT shall pay the County an annual license fee of \$16,178.00 divided into 12 equal monthly payments, plus any applicable state taxes for a period of approximately 22 years. This project is located in Commission District 6, represented by Commissioner Rebecca Sosa.

The original license agreement allows FCG a contractor of FGT, to install and operate a pig launcher on 12 inch natural gas pipeline which is located on the Southwest corner of MIA's cargo area. This operation will not impact MIA's runway operations.

FGT has already installed two natural gas underground pipelines on the Southwest Corner of MIA. One of the pipelines is an 18 inch pipeline installed in 1979 and the second pipeline is 12 inches and installed in 2011. FGT requested that the County

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issue a license to FCG to install and operate the PIG Launcher within FGT's 12-inch natural gas pipeline. The main function of the PIGs is to clean, inspect and maintain the pipeline as they pass through it. MDAD required that FGT and FCG enter into separate license agreements with the County in order to indemnify and hold the County harmless from any and all claims in the event of an accident on FGT's licensed premises.

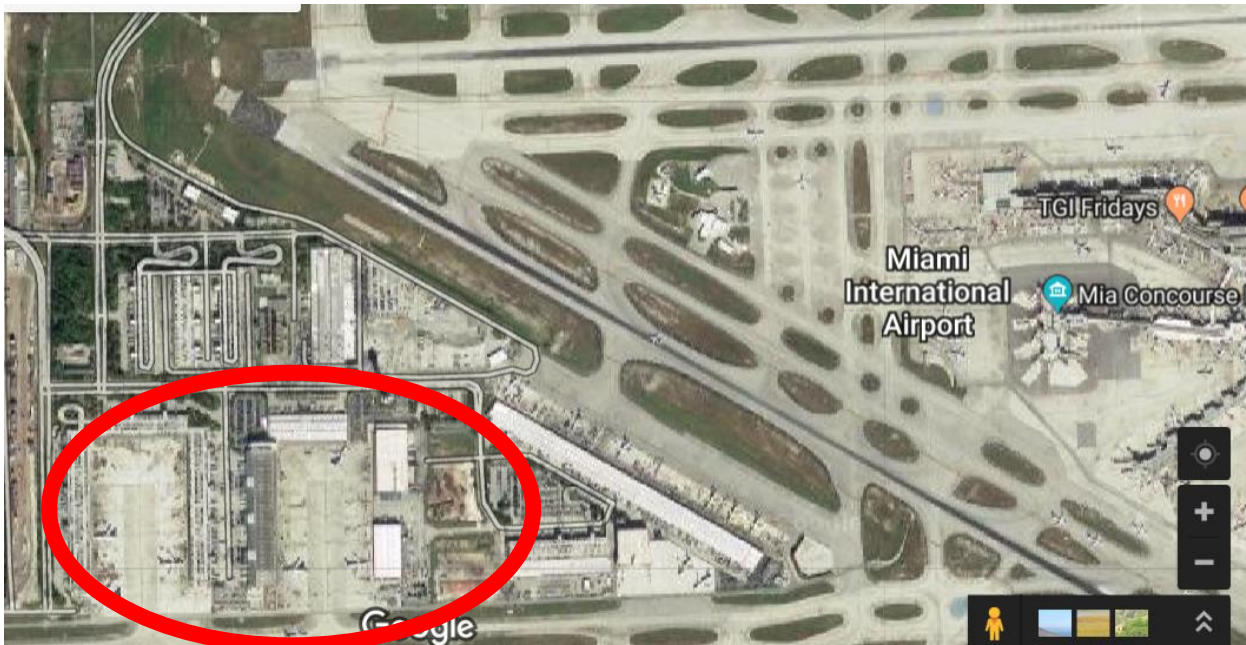
ADDITIONAL INFORMATION

Illustrated below is a Pig launcher and receiver



Pig Launcher and Receiver

Illustrated below is the area where the cleaning of the gas line will be taking place:



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**Item No. 3D
File No. 190131**

Researcher: IL Reviewer: TD

RESOLUTION WAIVING COMPETITIVE BIDDING BY TWO-THIRDS VOTE OF THE MEMBERS PRESENT PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE COUNTY CODE; WAIVING THE PROVISIONS OF R-456-07 AND R-1587-72; APPROVING AWARD OF A LEASE AND CONCESSION AGREEMENT FOR JSF AIRPORT CONCESSIONS LLC, AT MIAMI INTERNATIONAL AIRPORT, FOR PAYMENTS TO THE COUNTY OF THE GREATER OF PERCENT OF GROSS REVENUES OR A MINIMUM ANNUAL GUARANTEE (MAG) PAYMENT OF \$275,000.00 FOR A TERM OF 10 YEARS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUCH AGREEMENT AND TO EXERCISE ALL PROVISIONS THEREIN, INCLUDING BUT NOT LIMITED TO TERMINATION AND EXTENSION PROVISIONS

ISSUE/REQUESTED ACTION

Whether the Board should approve: (1) a waiver of the competitive bidding by two-thirds vote of the members present pursuant to section 5.03(D) the Home Rule Charter and section 2-8.1 of the County Code.; (2) waiving the provisions found under R-456-07 and R-1587-72; and (3) approving an award of a lease and concession agreement for JSF Airport Concessions LLC, at Miami International Airport (MIA), for payments to the County of the greater of percent of gross revenues or a minimum annual guarantee (MAG) payment of \$275,000.00 for a term of ten (10) years for the Miami-Dade Aviation Department (MDAD).

APPLICABLE LEGISLATION/POLICY

Section 125.35 of the Florida Statutes (County authorized to sell real and personal property and to lease real property) provides that the board of county commissioners is expressly authorized to sell and convey any real or personal property, and to lease real property, belonging to the county, whenever the board determines that it is to the best interest of the county to do so, to the highest and best bidder for the particular use the board deems to be the highest and best, for such length of term and such conditions as the governing body may in its discretion determine.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.35.html

Section 2-8.6.5 of the County Code states the County's policy relating to the purchase, sale and lease of real property.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.6.5PUSALEREPR

Section 2-8.9 of the County code, states the County service contractors for covered services shall pay employees a living wage. Covered services include contracts over \$100,000 per year for the following services: food preparation and/or distribution, security services, routine maintenance, clerical or other non-supervisory office work, transportation and parking services, printing and reproduction services, landscaping, lawn, or agricultural services, certain Aviation service contracts.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.9LIWAORCOSECOCOEM

Resolution No. R-333-15, adopted April 21, 2015, establishes the County policy requiring disclosure of market value or market rental in legislative items authorizing the conveyance or lease of County-owned property to promote public disclosure and fiscal responsibility.

<http://intra/gia/matter.asp?matter=150446&file=true&yearFolder=Y2015>

Resolution No. R-380-17, adopted April 4, 2017, establishes a Board policy relating to County-owned real property, requiring the County Mayor to provide written notification to the district commissioner in which the County-owned property lies no less than four weeks prior to placing any item on the Board agenda or any committee of the Board requesting approval of the sale, lease or surplus of the property.

<http://intra/gia/matter.asp?matter=170414&file=true&yearFolder=Y2017>

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Resolution No. R-791-14, adopted September 3, 2014, directs the County Mayor to provide the Miami-Dade County Property Appraiser a copy of all lease and operating agreements involving County-owned property.

<http://intra/gia/matter.asp?matter=141723&file=true&yearFolder=Y2014>

Resolution No. R-137-16, adopted February 2, 2016, directs the County Mayor to negotiate concession agreements with Jackson Soul Food and Chef Creole for future locations at MIA and to present a written recommendation on such agreements to the Board of County Commissioners within 120 days.

<http://www.miamidade.gov/govaction/matter.asp?matter=160028&file=true&fileAnalysis=false&yearFolder=Y2016>

Administrative Order No. 8-4 establishes County policy relating to the authority to sell, lease or otherwise dispose of County-owned property. Before action is taken on any proposed sale or lease of County-owned real property, unless expressly excluded herein, a recommendation will be requested from the Planning Advisory Board, to indicate whether such proposal is in the public interest and also recommending proper land use classification if applicable. Should a recommendation not be received from the Planning Advisory Board within the time period provided within this administrative order, the Planning Department Director will provide a recommendation on the proposal.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO8-4.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Requester/Department: Miami-Dade Aviation Department

There is no procedural history for this item at this time.

ANALYSIS

This item proposes an award of a lease and concession agreement for JSF Airport Concessions LLC (JSF), at Miami International Airport (MIA), for payments to the County of the greater of percent of gross revenues or a minimum annual guarantee (MAG) payment of \$275,000.00 for a term of ten (10) years for the Miami-Dade Aviation Department (MDAD).

On February 2, 2016, the Board approved a resolution directing the Mayor to negotiate concession agreements with Jackson Soul Food and Chef Creole for future locations at MIA. In accordance with this resolution MDAD is requesting a bid waiver to award a Lease and Concession Agreement to JSF Airport Concessions, LLC (JSF) for a 2,673-square-foot location in Miami International Airport's (MIA) Concourse E to operate three quick-serve concepts offering authentic Southern cuisine, Garcia's Seafood, and Chick-fil-A for a total of five restaurants. The lease agreement is slated for a 10-year term. The Federal Aviation Administration (FAA) has jurisdiction over the approval of the agreement as a result the agreement is subject to subsequent long-term lease approval by the FAA. Should the FAA not approve the 10 year term a modification of the term will take place and the new term will be for five years from the effective date of the lease.

The mayoral memo states that a positive fiscal impact is forecasted as a result of this agreement. JSF has committed to make a minimum investment of \$250.00 per square foot for the initial build-out cost of the location and will also pay MDAD the greater of the percent of gross revenues or a MAG payment of \$275,000.00 annually based on the projected annual sales.

This agreement is subject to the Living Wage.

The Division of Policy and Legislation of OCA conducted an integrity review of JSF and found that this company is registered on Sunbiz, the official website for the Division of Corporations for the State of Florida. JSF has a principal address of 950 NW 3rd Avenue, Miami, FL 33136. JSF does not have a profile under that name with the County's Tax Collector's office. A search of the Miami-Dade County Health Department's Discipline & Administrative Actions yielded zero results for JSF. No open litigation cases were found for JSF.

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Item No. 3F

File No. 190133

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING AWARD OF CONTRACT NO. RFP-MDAD-05-17 FOR THE PURCHASE OF COMMERCIAL OFF THE SHELF SECURITY AND IDENTIFICATION MANAGEMENT SYSTEM FOR THE MIAMI-DADE AVIATION DEPARTMENT IN A TOTAL AMOUNT NOT TO EXCEED \$6,296,000.00 OVER THE INITIAL THREE-YEAR TERM, WITH THREE FIVE-YEAR OPTIONS TO RENEW TERMS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWAL AND EXTENSION PROVISIONS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38(Internal Services)

ISSUE/REQUESTED ACTION

Whether the Board should approve a contract award to Integrated Security Systems, Inc. in the amount of \$6,296,000 for the purchase of a commercial off the shelf security and identification management system for an initial three-year term plus three, five-year options to renew for the Aviation Department.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) 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_ARTIINGE_S2-8.1COPUGE](https://library.municode.com/fl/miami_-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's small business enterprise program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

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.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-1011-15, adopted by the Board on November 3, 2015, directs the County Mayor to require that vendors provide addresses of all local branch offices and headquarters and the number and percentage of local residents such vendors employ in memoranda to the Board pertaining to vendors being recommended for contract award.

<http://intra/gia/matter.asp?matter=152271&file=true&yearFolder=Y2015>

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services;

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the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

Implementing Order No. 2-13 sets forth guidelines and procedures regarding legal opinions with respect to County competitive processes; written responsiveness opinions shall be contained in the agenda package where the related matter is presented to the Board for consideration.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO2-13.pdf>

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Internal Services

ANALYSIS

This item is requesting approval to award *Contract No. RFP-MDAD-05-17, Commercial Off the Shelf Security and Identification Management System*, to Integrated Security Systems, Inc. in the cumulative amount of \$6,296,000 for an initial three-year term plus three, five-year options to renew for the Aviation Department (MDAD). The County, as owner and operator of Miami International Airport (MIA) through MDAD, requires commercial off the shelf software, integration and training services to lead MDAD in the implementation of a commercial off the shelf security credentialing and identification management system.

Under the contract, Integrated Security Systems, Inc. shall migrate four MDAD millennium-based security systems and the system interface to the Matrix/Frontier system to a viable commercial off the shelf software identify management solution. The millennium-based security systems support company and employee management, fingerprint integration, security clearing house vetting and violation and training tracking. The new solution must handle approximately 37,000 active badges. Bulleted below are the systems and access control interface that must be incorporated into the commercial off the shelf software solution:

- Security Badge Tracking
- Airfield Operations Area Violation Tracking
- Safety and Security Violations
- Driver Training
- Matrix/Frontier Version R3 Interface

The contract provides a maintenance agreement provision. Under the provision, the warranty period commences at final acceptance for a period of one year. MDAD shall have a five-year optional maintenance agreement commencing at the end of the warranty period. The County reserves the right to extend the agreement for up to two separate five-year options to renew.

The total cumulative amount for this contract award is \$6,296,000. That reflects an initial three-year term valued at \$2,427,000 and three, five-year options to renew valued at \$1,030,398 for the first option, \$1,314,604 for the second option and \$1,523,990 for the final option. The mayoral memorandum indicates that the option terms will be used to obtain only maintenance and support services. Such services include online troubleshooting, upgrades and support packs, hot fixes, release notes and premium support.

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Per the Subcontractor Listing Form provided by Integrated Security Systems, Inc., the project subcontractor is AlertEnterprise, Inc. There is no information in the mayoral memorandum regarding what work, if any, the subcontractor shall perform and at what cost.

The Request for Proposals (RFP) was advertised on September 21, 2017. The RFP required all prime proposers to be a software developer with a minimum of three years of verifiable experience providing software, implementing and integrating services which lead to the implementation of a commercial off the shelf software credentialing and identification management system at a major Category X airport as defined by the FAA. The submittal deadline was October 27, 2017. The bid opening date was November 3, 2017. Three vendors responded to the solicitation – GCR, Inc., Quantum Secure, Inc., and Integrated Security Systems, Inc.

Note that on January 25, 2018, a County Attorney opinion was issued to the Aviation Senior Procurement Contract Officer managing this solicitation. That opinion found the submittal from GCR, Inc. responsive. The opinion is absent from this agenda package.

ADDITIONAL INFORMATION

The Work History Disclosure Form indicates that on May 20, 2014, Integrated Security Systems, Inc. was awarded a County contract in the amount of \$19,213 to perform upgrades to an ID badge system.

Integrated Security Systems, Inc. provides full service systems and security integration services primarily in access control, life safety, fire alarm, CCTV, PSIM and mass notification systems for contractors, developers, corporate, industrial, institutional, pharmaceutical and healthcare clientele. The company was founded in 1962 and is based in Miami, Florida. As of June 1, 2017, Integrated Security Systems, Inc. operates as a subsidiary of Convergent Technologies, LLC.

<https://www.bloomberg.com/research/stocks/private/snapshot.asp?privcapId=256173857>