



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

Tourism & Ports (TAPS) Committee Meeting

June 12, 2019
9:30 A.M.
Commission Chambers

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Commission Auditor
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Miami, FL 33128
(305) 375-2524

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TAPS Committee Meeting: June 12, 2019
Research Notes

Item No. 2B
File No. 191477

Researcher: LE Reviewer: TD

RESOLUTION RELATING TO MIAMI EXECUTIVE AIRPORT AND THE WINGS OVER MIAMI, INC. AVIATION MUSEUM ("WINGS MUSEUM") LOCATED THEREON; FINDING AND DETERMINING THAT THE CURRENT VALUE OF THE TANGIBLE AND INTANGIBLE BENEFITS PROVIDED BY THE WINGS MUSEUM FROM THE PRESENCE AND OPERATIONS OF WINGS MUSEUM AT SUCH AIRPORT JUSTIFIES INCREASING THE BENEFIT FACTOR AUTHORIZED BY THE FEDERAL AVIATION ADMINISTRATION FROM 25 TO 50 PERCENT OF WINGS MUSEUM'S ANNUAL NET OPERATING COSTS, WHICH IS APPLIED TO REDUCE THE RENTAL PAYMENTS DUE FROM WINGS MUSEUM UNDER ITS LEASE AGREEMENT WITH MIAMI-DADE COUNTY; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO APPLY THE 50 PERCENT BENEFIT FACTOR ANNUALLY TO WINGS MUSEUM'S LEASE AGREEMENT SUBJECT TO FEDERAL AVIATION ADMINISTRATION APPROVAL

ISSUE/REQUESTED ACTION

Whether the Board should approve applying the 50 percent benefit factor annually to Wings Museum's lease agreement subject to Federal Aviation Administration (FAA) Approval.

PROCEDURAL HISTORY

Prime Sponsor: Joe Martinez, District 11

Department/Requester: None

This item has no procedural history.

ANALYSIS

The purpose of this item is to request Board approval to apply the benefit factor authorized by the Federal Aviation Administration (FAA) from 25 to 50 percent of Wings Museum's annual net operating costs to be applied to the museum's rental payments under its lease agreement.

Through Resolution No. R-712-13, the Board determined that Wings Museum had valuable tangible and intangible benefits to the Kendall-Tamiami Executive Airport and to the civil aviation community throughout the County resulting from the activities and presence of the museum. The FAA reviewed Miami-Dade Aviation Department's (MDAD) proposal and approved it, provided that it would be done on a consistent basis for all similarly-situated facilities. Therefore, the museum was granted a 25 percent benefit factor that was equal to their annual net operating costs in which the annual value was applied to the rent due.

The proposed resolution suggests applying the 50 percent benefit factor, authorized by the FAA, from the museum's annual net operating costs to the rental payment due under the lease agreement with the County. This is based on MDAD providing an updated survey and analysis of the tangible and intangible benefits that the museum provides. MDAD has concluded and justified increasing the benefit factor to 50 percent.

The previous lease expired on June 30, 2018. Currently, the museum is on an administrative month to month lease as directed by MDAD. As part of lease agreement negotiations, the proposed resolution serves as a renegotiation point.

DEPARTMENTAL INPUT

On June 11, 2019, OCA sent out the following question to MDAD and due to time constraints, OCA will incorporate the answers for the BCC:

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Researcher: LE Reviewer: TD

- What were the annual net operating costs for the Wings Museum for the last five years?

ADDITIONAL INFORMATION

Wing's Over Miami Air Museum is a hangar facility that has been used as an aviation museum since 1986. It contains a collection of vintage aircraft, military trainers, and jet aircraft from the Cold War era. The museum also has recurrent plane maintenance and renovation activity on site.

<https://www.wingsovermiami.com/>

APPLICABLE LEGISLATION/POLICY

Resolution No. R-712-13, adopted on September 4, 2013, approved a 25 percent benefit factor and authorized applying the value on an annual basis to the rents due from the Wings Museum.

<http://intra/gia/matter.asp?matter=131585&file=true&yearFolder=Y2013>

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Item No. 3B

File No. 191323

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND ROSS & BARUZZINI, INC.; FOR GENERAL SPECIAL SYSTEMS ENGINEERING SERVICES, PROJECT NO. E16-MDAD-08 IN AN AMOUNT NOT TO EXCEED \$2,205,500.00 FOR A TERM OF FIVE YEARS PURSUANT TO SECTION 2-10.4 OF THE CODE OF MIAMI-DADE COUNTY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE TERMINATION PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the Professional Services Agreement (PSA) between the County and Ross & Baruzzini, Inc. for general special systems engineering services for the Aviation Department in an amount not to exceed \$2,205,500 for a term of five years.

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Aviation Department

The item has no procedural history.

ANALYSIS

The purpose of the PSA with Ross & Baruzzini is for the Aviation Department to acquire architectural and engineering professional services for renovations and improvements to the special systems at Miami International Airport (MIA), including low voltage data, communications and security. Moreover, the scope of work encompasses site investigations, special systems planning, engineering studies, conceptual, preliminary and final design services and construction management during implementation. The contract value is \$2,205,500 for a five-year term. Note that this is one of two identical award recommendations for the provision of the same services. The other award, which is also on the TAPS agenda, is to Burns & McDonnell Engineering Company, Inc.

It is anticipated that the projects to be completed under this PSA shall be at MIA terminal buildings and facilities. Individual projects shall be administered via task assignments in accord with the PSA. Furthermore, the services under this PSA shall be delivered in the following phases:

- Phases 1A and 1B – Program Verification and Preparation of Schematic Design Documents;
- Phase 2 – Design Development;
- Phases 3A, 3B and 3C – Development and Completion Contract Documents;
- Phase 3D – Bid Documents;
- Phase 4 – Bidding and Award of Contract; and
- Phase 5 – Work Related Services.

The total contract amount for the five-year term is \$2,205,500, which consist of a base estimate of \$2,000,000, a contingency allowance of \$200,000 and \$5,500 in Inspector General fees. As seen in the mayoral memorandum, the Fiscal Year (FY) 2018-19 Proposed Budget and Multi-Year Capital Plan applicable Project #s are 2000000790 and 2000000094. The proposed budget and multi-year capital plan describes Project # 2000000790 (MIA Support Projects) as to *install pre-conditioned air equipment in Concourse G; install foreign object detection system; install*

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parking guidance system at MIAs parking garages; install a smoke evacuation system in the south terminal; and design and install central terminal closed circuit TV system. The funding sources are Aviation Revenue Bonds, Double-Barreled GO Bonds and FDOT. Total expenditures show \$12,644,000.

The FY 2018-19 plan describes Project #2000000094 (MIA Concourse E Rehabilitation) as to *renovate MIAs Concourse E to include interior, exterior and code requirement upgrades; passenger loading bridge upgrades; replace automated people mover; provide apron pavement rehabilitation of Concourse E Satellite and Lower Concourse E; and implement automated processing for inbound international passengers working in conjunction with the Department of Homeland Security utilizing the latest technology and modified Transportation Security Administration approved processes.* The funding sources are FDOT funds and future financing. Total expenditures show \$28,947,000.

The solicitation for this project was advertised on February 24, 2017. Four proposals were received on January 24, 2018. The respondents were Ross & Baruzzini, WSP USA, Inc., Burns & McDonnell Engineering Company, Inc. and TLC Engineering for Architecture, Inc. Following the competitive selection process, Ross & Baruzzini was ranked first.

According to a June 11, 2019 search on sunbiz.org, the official State of Florida Division of Corporations website, Ross & Baruzzini is a foreign for-profit corporation with a principal address of 6 South Old Orchard, St. Louis, Missouri. The company holds an Architect Business and Certificate of Authorization license types per information found on June 11, 2019 on the website of the Florida Department of Business & Professional Regulation. The mayoral memorandum indicates that it is preferred for the selected firm to have a licensed professional engineer with a minimum of 10 years of special systems consulting services experience and that senior staff hold Registered Communications Distribution Designer or Physical Security Professional industry certifications.

The PSA includes a 25 percent (\$550,000) SBE-A/E goal and a 2 percent (\$44,000) SBE-G/S goal. The SBE-A/E subconsultant is Gurri Matute, P.A. and the SBE-G/S goal subcontractor is Certified Network Professionals, Inc.

Pursuant to Resolution No. R-421-16, a performance record verification was conducted in the Capital Improvements Information System on June 11, 2019, finding that Ross & Baruzzini has an evaluation count of 6 with an average evaluation rating of 3.4 out of a possible 4.0.

APPLICABLE LEGISLATION/POLICY

Section 287.055 of the Florida Statutes sets forth the Consultants' Competitive Negotiation Act, governing the processes for the acquisition of professional architectural, engineering, landscape architectural or surveying and mapping services.

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

Section 2-10.4 of the County Code governs the County's acquisition of professional architectural, engineering, landscape architectural or land surveying and mapping services.

https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE

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Section 2-10.4.01 of the County Code sets forth the County's Small Business Enterprise Architecture and Engineering Program.

[https://library.municode.com/fl/miami -
dade county/codes/code of ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-
10.4.01SMBUENARENPR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4.01SMBUENARENPR)

Section 2-8.1 of the County Code requires that the award recommendation memorandum presented to the Board identify each dedicated allowance, contingency allowance and additional services allowance including the specific purpose for each and the dollar amount that shall be available for each and the corresponding percentage of each dedicated allowance, contingency allowance and additional services allowance in relation to the actual contract price.

[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)

Section 2-8.3 of the County Code (County Mayor's Recommendation) states that whenever a competitive process is utilized for selection of a contractor, vendor, consultant, tenant or concessionaire, the County Mayor shall review the responses to the solicitation and recommend to the County Commission award or other appropriate action. Such recommendation shall be in writing and shall be filed with the Clerk of the Board, with copies mailed to all participants in the competitive process, no later than 10 days prior to any Commission meeting at which such recommendation is scheduled to be presented. Such recommendation shall be accompanied by a memorandum from the County Mayor that clearly identifies any and all delegations of Board authority contained in the body of the proposed contract.

[https://library.municode.com/fl/miami -
dade county/codes/code of ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.3MARE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.3MARE)

Ordinance No. 14-79, adopted September 3, 2014, requires that all agenda items related to planning, design and construction of County infrastructure include a statement that the impact of sea level rise has been considered.

<http://intra.gia/matter.asp?matter=141211&file=true&yearFolder=Y2014>

Implementing Order No. 3-34 establishes procedures for the formation and performance of selection committees in the competitive procurement process, including competitive selection committees utilized in the acquisition of architectural and engineering professional services.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-34.pdf>

Implementing Order No. 8-8 sets forth the Sustainable Buildings Program, requiring the County to incorporate sustainable development building measures into the design, construction, renovation and maintenance of County-owned, County-financed and County-operated buildings.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO8-8.pdf>

Administrative Order No. 3-39 establishes the County's policies and procedures for user departments for the construction of capital improvements, acquisition of professional services, construction contracting, change orders and reporting.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-39.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>

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Item No. 3B

File No. 191323

Researcher: PGE Reviewer: TD

Resolution No. R-421-16, adopted by the Board on May 17, 2016, requires the County Mayor or the County Mayor's designee to attach to all items recommending design and/or construction contract awards of \$1,000,000 or greater a list of all County contracts awarded in the previous three years to the recommended contractor and a summary of County evaluations of the recommended contractor's work.

<http://intra/gia/matter.asp?matter=160124&file=true&yearFolder=Y2016>

Resolution No. R-1181-18, adopted November 8, 2018, directs the County Mayor to: (1) consider safety records of prospective contractors and first-tier subcontractors for public construction projects; and (2) confirm that the safety records of recommended contractors and first-tier subcontractors were considered and report any instances where the safety record may adversely affect a finding of contractor responsibility in award memorandum to the Board.

<http://intra/gia/matter.asp?matter=182536&file=true&yearFolder=Y2018>

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Research Notes

Item No. 3C

File No. 191327

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND BURNS AND MCDONNELL ENGINEERING COMPANY, INC. FOR GENERAL SPECIAL SYSTEMS ENGINEERING SERVICES, PROJECT NO. E16-MDAD-08 IN AN AMOUNT NOT TO EXCEED \$2,205,500.00 FOR A TERM OF FIVE YEARS PURSUANT TO SECTION 2-10.4 OF THE CODE OF MIAMI-DADE COUNTY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE TERMINATION PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the Professional Services Agreement (PSA) between the County and Burns & McDonnell Engineering Company, Inc. for general special systems engineering services for the Aviation Department in an amount not to exceed \$2,205,500 for a term of five years.

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Aviation Department

The item has no procedural history.

ANALYSIS

The purpose of the PSA with Burns & McDonnell Engineering Company is for the Aviation Department to acquire architectural and engineering professional services for renovations and improvements to the special systems at Miami International Airport (MIA), including low voltage data, communications and security. Moreover, the scope of work encompasses site investigations, special systems planning, engineering studies, conceptual, preliminary and final design services and construction management during implementation. The contract value is \$2,205,500 for a five-year term. Note that this is one of two identical award recommendations for the provision of the same services. The other award, which is also on the TAPS agenda, is to Ross & Baruzzini, Inc.

It is anticipated that the projects to be completed under this PSA shall be at MIA terminal buildings and facilities. Individual projects shall be administered via task assignments in accord with the PSA. Furthermore, the services under this PSA shall be delivered in the following phases:

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The total contract amount for the five-year term is \$2,205,500, which consist of a base estimate of \$2,000,000, a contingency allowance of \$200,000 and \$5,500 in Inspector General fees. As seen in the mayoral memorandum, the Fiscal Year (FY) 2018-19 Proposed Budget and Multi-Year Capital Plan applicable Project #s are 2000000790 and 2000000094. The proposed budget and multi-year capital plan describes Project # 2000000790 (MIA Support Projects) as to *install pre-conditioned air equipment in Concourse G; install foreign object detection system; install*

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The solicitation for this project was advertised on February 24, 2017. Four proposals were received on January 24, 2018. The respondents were Ross & Baruzzini, WSP USA, Inc., Burns & McDonnell Engineering Company, Inc. and TLC Engineering for Architecture, Inc. Following the competitive selection process, Ross & Baruzzini was ranked first. Burns & McDonnell Engineering was ranked 3. The second-ranked firm declined negotiations and waived its right to award of the PSA.

According to a June 11, 2019 search on sunbiz.org, the official State of Florida Division of Corporations website, Burns & McDonnell Engineering is a foreign for-profit corporation with a principal address of 9400 Ward Parkway, Kansas City, Missouri. The company holds a Certified General Contractor license per information found on June 11, 2019 on the website of the Florida Department of Business & Professional Regulation. The mayoral memorandum indicates that it is preferred for the selected firm to have a licensed professional engineer with a minimum of 10 years of special systems consulting services experience and that senior staff hold Registered Communications Distribution Designer or Physical Security Professional industry certifications.

The PSA includes a 25 percent (\$550,000) SBE-A/E goal and a 2 percent (\$44,000) SBE-G/S goal. The SBE-A/E subconsultants are SDM Consulting Engineers, Inc. (10 percent); Louis J. Aguirre & Associates, P.A. (10 percent); and Gurri Matute, P.A. (5 percent). Go Green Document Solutions, Inc. is the SBE-G/S goal subcontractor.

Pursuant to Resolution No. R-421-16, a performance record verification was conducted in the Capital Improvements Information System on June 11, 2019, finding that Burns & McDonnell has an evaluation count of 10 with an average evaluation rating of 3.7 out of a possible 4.0.

ADDITIONAL INFORMATION

Reversing and remanding a case, on March 22, 2016, the Missouri Court of Appeals held that Burns & McDonnell Engineering Company, Inc. wrongfully discharged an employee for whistleblowing about unsafe engineering practices as well as the unauthorized practice of engineering on a boiler project. See *James Van Kirk v. Burns & McDonnell Engineering Company, Inc.*, Missouri Court of Appeals, 484 S.W.3d 840.

APPLICABLE LEGISLATION/POLICY

Section 287.055 of the Florida Statutes sets forth the Consultants' Competitive Negotiation Act, governing the processes for the acquisition of professional architectural, engineering, landscape architectural or surveying and mapping services.

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

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Item No. 3C

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[https://library.municode.com/fl/miami -
dade county/codes/code of ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.3MARE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.3MARE)

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Item No. 3C
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Researcher: PGE Reviewer: TD

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Resolution No. R-1181-18, adopted November 8, 2018, directs the County Mayor to: (1) consider safety records of prospective contractors and first-tier subcontractors for public construction projects; and (2) confirm that the safety records of recommended contractors and first-tier subcontractors were considered and report any instances where the safety record may adversely affect a finding of contractor responsibility in award memorandum to the Board.

<http://intra/gia/matter.asp?matter=182536&file=true&yearFolder=Y2018>

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Research Notes

Item No. 3D
File No. 191425

Researcher: JFP Reviewer: TD

RESOLUTION APPROVING A REQUEST TO ADVERTISE THE CAPITAL IMPROVEMENT PROGRAM SPECIALIZED SERVICES PROJECT, ISD PROJECT NO. A18-MDAD-01

ISSUE/REQUESTED ACTION

Whether the Board should approve a Request to Advertise the Capital Improvement Program Specialized Services Project in conjunction with the action of rejecting all proposals received for a project of a narrower scope (see companion TAPS agenda item 3E, File No. 191443) to ultimately retain two specialized services firms to implement the Miami Dade Aviation Department's (MDAD) all-inclusive Capital Improvement Program (CIP) with a compensation amount up to \$35,839,375 for each selected firm for the initial contract term of five years and two five-year renewal options.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Aviation Department

On July 18, 2018, the Economic Development and Tourism Committee deferred the rejection of three proposals received in response to ISD Project No. A16-MDAD-02, *Terminal Optimization Program – Project Support Services*, a project that the department later determined was narrow and limited as it did not address all the capacity and operational needs of Miami International Airport (MIA) nor those of the general aviation airports. The rejection of the three proposals received for the project is on the June 11, 2019 TAPS committee agenda as item 3E (File No. 191443), the approval of which will allow MDAD to move forward with the competitive solicitation that is the subject of this proposed resolution.

ANALYSIS

The purpose of this item is to replace ISD Project No. A16-MDAD-02 and its solicitation thereof with ISD Project No. A18-MDAD-01, allowing a Request to Advertise (RTA) for consultant selection regarding MDAD's Capital Improvement Program (CIP) Specialized Services Project, one of broader scope and that is more inclusive than the previous project. The goal of the RTA is to retain two specialized Architectural/Engineering (A/E) firms to implement the CIP, providing services only when requested by MDAD staff, at a compensation amount of up to \$35,839,375 per firm for the initial contract term of five years and two five-year options without Board approval. This item is being brought before the Board for approval even though Section 2-8.1 of the County Code delegates authority to the Mayor to advertise bids for all County contracts due to the significance and countywide impact of the CIP.

The current CIP includes a series of capital projects from the former Terminal Optimization Program (TOP), but takes a comprehensive approach by including long-term plans to address all capacity and operational needs. The CIP has five sub-programs as detailed below for capital projects at MIA.

- North Terminal Program
 - Gate Optimization Project
 - D60 Redevelopment
- Central Terminal Program
 - Central Terminal Redevelopment
 - Concourse F Modernization
 - Concourse G Demolition and Apron

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File No. 191425

Researcher: JFP Reviewer: TD

- South Terminal Program
 - South Terminal Expansion
 - Apron Expansion
- Cargo Program
 - Taxiway R, Fuel Tender, and Ramp Expansion
 - Building 702 Expansion and Apron
 - Fumigation Facility
- Miscellaneous Program
 - Roadway and Bridge Improvements
 - Bus Maintenance Facility
 - North Terminal Ground Service Equipment (GSE)
 - South Terminal GSE and Auto Fueling Station
 - Park 6 Garage
 - New On-Airport Hotels

The cost of the capital budget projects is outlined as follows:

Capital Budget Project Description	Amount
MIA Central Base Apron and Utilities	\$7,395,047
MIA Concourse E Rehabilitation	\$16,449,187
MIA Airport South Terminal Improvements	\$16,011,512
MIA Miscellaneous Projects	\$16,823,004
Reserve Maintenance Projects	\$7,500,000
Operating Fund	\$7,500,000
TOTAL:	\$71,678,750

The conflict of interest policy as outlined in the Notice to Professional Consultants precludes those selected prime firms and chosen subconsultants from being part of a team recommended for award on any future CIP project at any MDAD facility during the term of any professional agreement awarded for this CIP Specialized Services Project. The prime consultants are preferred to have a minimum of 10 years of experience in project management at large hub U.S. airports. The expertise must be met by a qualified individual or individuals of the prime and/or sub-consultant firms as applicable. The prime consultants will be held responsible for the coordination of all work and must hold technical certification in the following categories: 4.01 - Aviation Systems - Engineering Design, 4.02 - Aviation Systems - Architectural Design, 14.00 - Architecture, 17.00 - Engineering Construction Management, and 18.00 - Architectural Construction Management. The solicitation has the contract measure of a 25% Disadvantaged Business Enterprise (DBE) goal for each of the two agreements.

APPLICABLE LEGISLATION/POLICY

Section 287.055 of the Florida Statutes sets forth the Consultants' Competitive Negotiation Act, governing the processes for the acquisition of professional architectural, engineering, landscape architectural or surveying and mapping services.

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

TAPS Committee Meeting: June 12, 2019
Research Notes

Item No. 3D
File No. 191425

Researcher: JFP Reviewer: TD

Section 2-10.4 of the County Code governs the County's acquisition of professional architectural, engineering, landscape architectural or land surveying and mapping services.

[https://library.municode.com/fl/miami -
_dade county/codes/code of ordinances?nodeId=PTIICOOR CH2AD ARTIINGE S2-
10.4ACPRARENLAARLASUMASE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE)

Section 2-10.4.01 of the County Code sets forth the County's Small Business Enterprise Architecture and Engineering Program.

[https://library.municode.com/fl/miami -
dade county/codes/code of ordinances?nodeId=PTIICOOR CH2AD ARTIINGE S2-10.4.01SMBUENARENPR](https://library.municode.com/fl/miami-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4.01SMBUENARENPR)

Section 2-8.1 of the County Code requires that the award recommendation memorandum presented to the Board identify each dedicated allowance, contingency allowance and additional services allowance including the specific purpose for each and the dollar amount that shall be available for each and the corresponding percentage of each dedicated allowance, contingency allowance and additional services allowance in relation to the actual contract price.

[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)

Section 2-8.3 of the County Code (County Mayor's Recommendation) states that whenever a competitive process is utilized for selection of a contractor, vendor, consultant, tenant or concessionaire, the County Mayor shall review the responses to the solicitation and recommend to the County Commission award or other appropriate action. Such recommendation shall be in writing and shall be filed with the Clerk of the Board, with copies mailed to all participants in the competitive process, no later than 10 days prior to any Commission meeting at which such recommendation is scheduled to be presented. Such recommendation shall be accompanied by a memorandum from the County Mayor that clearly identifies any and all delegations of Board authority contained in the body of the proposed contract.

[https://library.municode.com/fl/miami -
dade county/codes/code of ordinances?nodeId=PTIICOOR CH2AD ARTIINGE S2-8.3MARE](https://library.municode.com/fl/miami-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.3MARE)

Implementing Order No. 3-34 establishes procedures for the formation and performance of selection committees in the competitive procurement process, including competitive selection committees utilized in the acquisition of architectural and engineering professional services.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-34.pdf>

Administrative Order No. 3-39 establishes the County's policies and procedures for user departments for the construction of capital improvements, acquisition of professional services, construction contracting, change orders and reporting.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-39.pdf>

Implementing Order No. 3-32 sets forth the County's procedures for the Community Business Enterprise Program for the purchase of professional architectural, landscape architectural, engineering or surveying and mapping services.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-32.pdf>

TAPS Committee Meeting: June 12, 2019
Research Notes

Item No. 3E
File No. 191443

Researcher: IL Reviewer: TD

RESOLUTION REJECTING ALL PROPOSALS RECEIVED IN CONNECTION WITH ISD PROJECT NO. A16-MDAD-02 TERMINAL OPTIMIZATION PROGRAM PROJECT SUPPORT SERVICES FOR THE MIAMI-DADE AVIATION DEPARTMENT.

ISSUE/REQUESTED ACTION

Whether the Board should authorize rejecting all proposals received regarding ISD Project No. A16-MDAD-02 Terminal Optimization Program for support services for the Aviation Department.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Aviation Department

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

ANALYSIS

The purpose of this item is to reject all proposals received pertaining ISD Project No. A16-MDAD-02 for the previous solicitation of proposals issued under full and open competition on June 30, 2016. At that time, a Notice to Professional Consultants netted three responses to the solicitation from: AECOM Technical Services, Inc., Heery International Inc., and Burns & McDonnell Engineering Company, Inc. A DBE of 25 percent applied to said solicitation.

The Aviation Department recommends all proposals be rejected, as MDAD plans to conduct a thorough review of the airport system's capital improvement needs. Once that review is completed, a new Capital Improvement Program will be implemented and presented for Board approval.

There is no fiscal impact to the county for this item. However, there is a fiscal impact for the accompanying item, File No. 191425 (Agenda Item No. 3D), which seeks approval on a Request To Advertise (RTA) to initiate a new procurement process with replacement solicitation ISD Project No. A18-MDAD-01. The fiscal impact on ISD Project No. A18-MDAD-01 is \$71,678,750 total for five years with two five-year renewal options. The solicitation seeks two specialized firms each receiving a total of \$35,839,375, to implement MDAD's CIP and provide services on an as-needed basis.

At the July 18, 2018 Economic Development and Tourism Committee, the rejection of all proposals was brought concerning whether or not this solicitation covered the scope of the Terminal Optimization Program scope. The Department Director, advised that the current solicitation did not have a proposal/scope encompassing the entire capital improvement direction that MDAD was intending to pursue.

DEPARTMENTAL INPUT:

The following questions were asked to the department on June 11, 2019:

- It has been almost a year since this item traveled before the EDTC committee, why has it taken nearly a year to develop the scope of services for ISD Project No. A18-MDAD-01?

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File No. 191443

Researcher: IL Reviewer: TD

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the Code of Miami-Dade County (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 \$250,000.00; (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 Implementing Order (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

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) 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-140-15, adopted by the Board on February 3, 2015, authorizes replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the county.

<http://intra/gia/matter.asp?matter=150090&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 why 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 (ISD); the methods of purchasing goods and services; 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>