



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

Parks, Recreation and Cultural Affairs (PRCA)
Committee Meeting

June 13, 2019
2:00 P.M.
Commission Chambers

Yinka Majekodunmi, CPA
Commission Auditor
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**PRCA Meeting: June 13, 2019
Research Notes**

**Item No. 3B
File No. 191401**

Researcher: IL Reviewer: TD

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$750,000 FOR A MODIFIED CONTRACT AWARD OF \$1,750,000 FOR CONTRACT NO. EPRFQ-00608 FOR THE PURCHASE OF MARKETING AND PUBLIC RELATION SERVICES FOR THE DEPARTMENT OF CULTURAL AFFAIRS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE CONTRACT AND 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 authorize additional expenditure approval in the amount of \$750,000 for Contract No. EPRFQ-00608 to purchase marketing and public relation services for facilities and programs offered by CUA including the South Miami-Dade Cultural Arts Center, Miami-Dade County Auditorium, Joseph Caleb Auditorium, African Heritage Cultural Arts Center, Culture Shock Miami program, All Kids Included program, Golden Ticket Arts Guide and other facilities and programs as needed.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department(ISD)

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

ANALYSIS

The proposed resolution is requesting Board approval for an additional expenditure of \$750,000 to the existing \$1,000,000 contract for a term of four years and six months, bringing the modified contract total to \$1,750,000.

The fiscal impact to the county is \$750,000. OCA performed a review of existing Contract No. EPRFQ-00608 on June 11, 2019. As of this date, of the \$1,000,000 contract, \$671,051.35 has been used, leaving a balance of \$328,948.65. No information as to allocation of the remaining balance was provided.

The funding source under the proposed additional expenditure of the contract is the Department of Cultural Affairs.

According to records, 14 bids were received when the original contract was awarded in 2018. The contract expires January 31, 2021. Two local firms were selected for the existing contract, Beber Silverstein & Partners Advertising Inc. located at 89 NE 27 Street, Miami, FL, and Matrix 2, Inc. located at 1903 NW 97 Avenue, Miami, FL. The requesting agency is recommending the two incumbent companies be awarded the additional expenditure of \$750,000. No information as to the amount of the allocation to each firm was provided.

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A search of the incumbent firms history on June 11, 2019, found the following:

Firm Name	Local/Not Local	Tax Collector	Sunbiz
Beber Silverstein & Partners	Local	Paid https://miamidade.county-taxes.com/public/business_tax/accounts/1133313	Active; Established in 1998
Matrix 2, LLC	Local	Paid https://miamidade.county-taxes.com/public/business_tax/accounts/731001	Active; Established in 1977

ADDITIONAL INFORMATION

OCA performed an Internet search pertaining both incumbent companies June 6, 2019. According to Beber Silverstein's website, among the firm's clients are McDonald's, Carnival, Pollo Tropical, FIU, and FPL. For Matrix 2, Inc., the company's website lists among its clientele: Turnberry Isle Miami, United Homecare, Lely Resort, Margaritaville Resort & Marina Key West, and Intercontinental New Orleans.

DEPARTMENTAL INPUT

The following questions were asked to ISD on June 12, 2019:

- As of June 11, 2019 there is a balance of \$328,948.65 in the blanket purchase order, the requested allocation of \$750,000 will convert this total balance back to \$1,078,948.65, what are these funds going to be used for?
- Are the firms conducting the marketing receiving equal work or equal opportunity for the funding?
- Do these firms have sub-contractors or is any of the work intended to be subcontracted?

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=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Resolution No. R-716-12, adopted 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-395-12, adopted May 1, 2012, Requires vendors added to open pool contracts to be subject to bi-annual ratification by the Board of County Commissioners.

<http://www.miamidade.gov/govaction/matter.asp?matter=120561&file=true&yearFolder=Y2012>

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

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

Resolution No. R-140-15, adopted 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-718-17, adopted July 6, 2017, directs the Mayor to commence planning for re-procurement no later than 18 months PRIOR to the expiration of contracts and Lists of Prequalified Vendors for the purchase of goods and/or services; and directs the Mayor or their designee, on a quarterly basis to identify in writing to the Office of Commission Auditor those contracts and prequalified vendor lists that are set to expire no later than 18 months prior to expiration.

<http://www.miamidade.gov/govaction/matter.asp?matter=171632&file=true&fileAnalysis=false&yearFolder=Y2017>

Resolution No. R-477-18, adopted 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>