



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

Transportation and Finance (TAF) Committee Meeting

July 15, 2019
12:00 P.M.
Commission Chambers

Yinka Majekodunmi, CPA
Commission Auditor
Office of the Commission Auditor (OCA)
111 N.W. First Street, Suite 1030
Miami, FL 33128
(305) 375-2524

THIS PAGE INTENTIONALLY LEFT BLANK

TAF Committee Meeting: July 15, 2019
Research Notes

Item No. 3B
File No. 191474

Researcher: JFP Reviewer: TD

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-00743 FOR THE RAILCAR WHEEL PRESS MACHINE FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS FOR A ONE-YEAR TERM IN AN AMOUNT NOT TO EXCEED \$980,600.00; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES CONTAINED IN EXHIBIT 1, AS AMENDED, OF THE PEOPLE'S TRANSPORTATION PLAN

ISSUE/REQUESTED ACTION

Whether the Board should approve award of *Contract No. FB-00743, Railcar Wheel Press Machine*, to BBM Railway Equipment, LLC for a one-year term in an amount up to \$980,600 for the Department of Transportation and Public Works (DTPW).

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

The item has no procedural history.

ANALYSIS

The purpose of this item is to establish a contract for DTPW, accommodating the removal of an existing railcar wheel press machine and the furnishing and installation of a new machine used for accurate positioning and mounting/demounting of the railcar wheels. There is no existing or previous County contract for wheel press procurement as the current wheel press machine was installed over 35 years ago. The aged machine is in constant need of repair and is often out of service for this purpose, rendering rail cars in need of the wheel press machine unavailable for public use.

The contract amount of up to \$980,600 for wheel press services is to be funded with Charter County Transportation Surtax funds. Pursuant to Section 29-124(f) of the County Code, the Citizens' Independent Transportation Trust forwarded a favorable recommendation of this item to the Board on June 20, 2019.

The method of award was to the responsible bidder with the lowest priced responsive bid. 827 vendors were notified of the solicitation, with two vendors responding. The recommended awardee is BBM Railway Equipment, LLC, a non-local vendor with the lowest price responsive bid. The second vendor, also non-local, was not recommended for award due to being deemed non-responsible.

A July 11, 2019 search of Sunbiz.org, the official State of Florida website for the Department of State Division of Corporations, revealed that BBM Railway Equipment, LLC is not listed as registered to do business in Florida. Its principal address is 3200 Innovation Place, Youngstown, Ohio. A search on the Business Management Workforce System conducted on July 11, 2019 under the pertinent commodity code, 92950 - Machinery and Heavy Hardware Maintenance and Repair, yielded the following local certified small business firm:

- Pinon Machine Shop

**TAF Committee Meeting: July 15, 2019
Research Notes**

**Item No. 3B
File No. 191474**

Researcher: JFP Reviewer: TD

Note that the Mayoral Memorandum indicates the Small Business Development Division advised that there were no certified Small Business Enterprise firms under this commodity code. It is unclear from the item, however, whether Pinon Machine Shop is capable of providing wheel press scope of services.

Below is an image of a BBM wheel press machine.



ADDITIONAL INFORMATION

BBM Railway Equipment, LLC

BBM Railway Equipment, LLC, a member of the Brilex Group of Companies, was established in 2011 through a joint venture agreement between Brilex Industries, Inc., Youngstown, Ohio and Officine Meccaniche BBM, S.p.A. Italy. By implementing proven, cutting-edge rail technology from Italy and the manufacturing experience of Brilex Industries, Inc., BBM Railway Equipment, LLC provides state-of-the-art, advanced equipment and services to North American railways.

<https://www.bbm-railway.com/>

Half Penny Charter County Sales Surtax/The People's Transportation Plan

<https://www.miamidade.gov/publicworks/peoples-transportation.asp>

<http://www.miamidade.gov/citt/peoples-transportation-plan.asp>

APPLICABLE LEGISLATION/POLICY

Section 29-124(f) of the County Code states that no surtax proceeds may be used to pay the costs of a contract unless the Trust has submitted a recommendation to the County Commission regarding said contract award.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH29TA_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551FLST2001_S29-124SPFUCRUSSUPPROCIINTRTR

TAF Committee Meeting: July 15, 2019
Research Notes

Item No. 3B
File No. 191474

Researcher: JFP Reviewer: TD

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

Resolution No. R-477-18, adopted May 1, 2018, directed 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>

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

<http://www.miamidade.gov/govaction/matter.asp?matter=120287&file=true&fileAnalysis=false&yearFolder=Y2012>

Resolution No. R-716-12, adopted September 4, 2012, requires identification of small business enterprise firms in any procurement item submitted for Board approval.

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

Resolution No. R-1011-15, adopted November 3, 2015, directed 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>

Implementing Order 3-38 sets forth the County's policy and procedures for the procurement of goods and services. The I.O. references the obligations and responsibilities of the Internal Services Department; the authority to award; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

**TAF Committee Meeting: July 15, 2019
Research Notes**

**Item No. 3C
File No. 191402**

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01098 FOR THE BUS PASSENGER BENCH PROGRAM FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS TO SIGNAL OUTDOOR ADVERTISING, LLC FOR A TEN-YEAR TERM, WITH AN ESTIMATED TOTAL REVENUE TO BE GENERATED OF UP TO \$5,625,000.00; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should approve award of *Contract No. FB-01098, Bus Passenger Bench Program*, to Signal Outdoor Advertising, LLC for a 10-year term with an estimated revenue for the County in the amount of \$5,625,000 for the Department of Transportation and Public Works (DTPW).

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

The item was previously placed on the June 12, 2019 agenda of the Transportation and Finance Committee and was removed prior to deliberations as it was not properly before the committee.

ANALYSIS

The purpose of this item is to establish a long-term replacement contract for DTPW for its bus passenger bench program. The awardee, Signal Outdoor Advertising, LLC, is the incumbent vendor and the revenue to be generated for the proposed 10-year term is \$5,625,000. The Market Research conducted by the Administration for this item states that a 10-year term is being recommended to allow sufficient time for the awardee to recover its significant capital investment costs and realize a fair and reasonable profit.

The current contract (*RFP540*) had a term of 10 years and nine months, from December 1, 2008 to August 31, 2019 and, per the mayoral memorandum, generated revenue totaling \$1,870,000. The current contract is in its fifth and final option period, which had an original expiration date of February 28, 2019. The current August 31, 2019 expiration date reflects a six-month administrative extension. The increase in the estimated revenue under the replacement contract is attributable to the expanded scope of services.

The solicitation was advertised on March 22, 2019. Five vendors responded to the solicitation, of which two were "No Bids." The method of award was to the responsive and responsible bidder who submitted the highest offer for the total payment to the County. The three respondents are: (1) Creative Outdoor Advertising of America, offering \$4,500,000; (2) Fuel Media Holdings, LLC, offering \$7,807,992; and (3) Signal Outdoor Advertising, LLC, offering \$5,625,000. Although Fuel Media Holdings proposed the highest sum, a Responsibility Review was held by the Administration in which it was determined that Fuel Media Holdings lacked the experience and proof of ability to perform the solicited services. Accordingly, Signal Outdoor Advertising, who offered the second highest sum, is the recommended awardee.

TAF Committee Meeting: July 15, 2019
Research Notes

Item No. 3C

File No. 191402

Researcher: PGE Reviewer: TD

The solicitation sets forth an Annual Guaranteed Payment to the County under the contract, payable in quarterly installments. Although the mayoral memorandum suggests that Living Wage does not apply, the solicitation includes a Living Wage requirement. The scope of work for this contract encompasses the following:

- Engage in activities related to selling advertisement on existing bus benches and new bus benches installed by the awardee;
- Furnish and install full-size and slim-size model benches;
- Clean, maintain and repair the existing County-owned bus passenger benches and trash receptacles located in unincorporated Miami-Dade County;
- Expand the program by manufacturing, installing and maintaining new bus passenger benches and trash receptacles; and
- Be responsible for all costs required to perform the solicited services.

Per a search on July 12, 2019 of Sunbiz.org, the official State of Florida website for the Department of State Division of Corporations, Signal Outdoor Advertising, LLC, is a foreign limited liability company with a principal address of 200 Mansell Court East, Suite 325, Roswell, Georgia. A local address was provided in the mayoral memorandum.

The Commodity Codes for this solicitation found on the Small Business Development Project Worksheet are: 15576 (Shelters, Bus Waiting), 91504 (Advertising Services, Outdoor Billboard) and 91069 (Shelters, Carports, Portable Buildings). A search on July 12, 2019 on the Business Management Workforce System under those codes yielded the following local certified small business firms:

- Bilmor with Advertising Specialties, Inc. (91504);
- Design-Build Interamerican, Inc. (91069);
- Icon Group Engineers, LLC (91069);
- LCN Group, Inc. (91069);
- O.R. Dean Construction, Inc. (91069);
- Paragon Construction Unlimited, Inc. (91069);
- Perpetual Advancement Enterprises, Inc. (91069);
- Lex Promotions & Marketing Group LLC (91504); and
- The M Network, Inc. (91504).

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=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE

TAF Committee Meeting: July 15, 2019
Research Notes

Item No. 3C

File No. 191402

Researcher: PGE Reviewer: TD

Resolution No. R-477-18, adopted May 1, 2018, directed 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>

Resolution No. R-187-12, adopted February 21 2012, directed the County Mayor to include due diligence information in memoranda recommending certain contract awards.
<http://www.miamidade.gov/govaction/matter.asp?matter=120287&file=true&fileAnalysis=false&yearFolder=Y2012>

Resolution No. R-716-12, adopted September 4, 2012, requires identification of small business enterprise firms in any procurement item submitted for Board approval.
<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

Resolution No. R-140-15, adopted February 3, 2015, directs the County Mayor to conduct a full review prior to the re-procurement of replacement contracts for goods and services of the scope of services or goods requested to ensure such contracts reflect the current needs of the County and include such information in recommendations to the Board.
<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

Resolution No. R-1011-15, adopted November 3, 2015, directed 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. 718-17, adopted on July 6, 2017, directs the County Mayor to commence planning for re-procurement no later than 18 months prior to the expiration of contracts and prequalification pools for the purchase of goods and services.
<http://intra/gia/matter.asp?matter=171632&file=true&yearFolder=Y2017>

Resolution No. 841-06, adopted on July 6, 2006, changed the deadline to seek approval for award of successor contracts or extension of existing contracts from 60 to 30 days prior to expiration.
<http://intra/gia/matter.asp?matter=061720&file=true&yearFolder=Y2006>

Implementing Order 3-38 sets forth the County's policy and procedures for the procurement of goods and services. The I.O. references the obligations and responsibilities of the Internal Services Department; the authority to award; 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>

TAF Committee Meeting: July 15, 2019
Research Notes

Item No. 3G
File No. 191471

Researcher: MF Reviewer: TD

RESOLUTION APPROVING WORK ORDER NO. 1 TO WANTMAN GROUP, INC. FOR EQUITABLE DISTRIBUTION PROGRAM PROFESSIONAL SERVICES FOR ROADWAY SIGNS IN THE VICINITY OF THE METRORAIL STATIONS, CONTRACT NO. EDP-650271367-2019, ISD PROJECT NO. EDP-MT-CIP201, IN AN AMOUNT NOT TO EXCEED \$156,503.32 AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES

ISSUE/REQUESTED ACTION

Whether the Board should approve a work order and a contract totaling \$156,503.32 for professional services to assess the existing conditions of directional and guide signs on roads and highways near Metrorail stations.

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Department of Transportation and Public Works (DTPW)

There is no procedural history for this item.

ANALYSIS

The purpose of this item is to authorize a work order to hire Wantman Group, Inc. for professional services relating to directional and guide signs on the roads and highways in the vicinity of the existing 23 Metrorail stations and provide recommendations on ways to improve directional signage for motorists and pedestrians. According to the mayor's memo, the firm will conduct the work in two phases, although the second phase will require a Notice to Proceed and would occur only if DTPW decides to proceed. The scope of work, as identified in the mayor's memo, is for the firm to conduct field assessments of roadway signs in the vicinity of all the Metrorail stations, review existing plans, attend meetings and develop aerial base maps of roadway systems of stations, and ultimately provide a report to DTPW with recommendations. Per the mayor's memo, once DTPW receives said report, the Department will decide whether to engage Wantman Group, Inc. for a second phase of the project, which would entail developing a design package of typical guide signs.

Funding for the project will be through the People's Transportation Plan Bond Program in the amount of \$156,503.32 and the agreement will be for one year. DTPW negotiated with Wantman Group, Inc. on the \$156,503.32 amount, which exceeds the initial cost estimate by 56.50%; the original estimate for said services was \$100,000. According to the mayor's memo, the reasons cited for the additional expenditure is because the selected firm will conduct additional work that includes traffic control analysis and coordinating with municipalities. For this item, a recommendation by the Citizens Independent Transportation Trust (CITT) is required prior to the Board hearing this matter.

DTPW selected Wantman Group, Inc. under the Equitable Distribution Program (EDP), which allows the Department to choose a firm through a selection committee process once proposals are received and evaluated. Two of the four firms provided by the Internal Services Department (ISD) to solicit qualifications submitted proposals. The selected company has a local office and met the minimum qualifications: completed a minimum of one similar project within the last seven years. The scoring identified Wantman Group, Inc. as the highest ranked firm.

TAF Committee Meeting: July 15, 2019
Research Notes

Item No. 3G
File No. 191471

Researcher: MF Reviewer: TD

Listed below are the two firms that submitted proposals and their scores.

Firm Name & Location	Score
Wantman Group, Inc. 11401 SW 40 St., Ste. 455 Miami, FL 33165	67
CH Perez & Associates Consulting Engineers, Inc. 9594 NW 41 St., Ste. 201 Doral, FL 33178	62

OCA reviewed the Capital Improvements Information System (CIIS) on July 10, 2019 and found two contracts were previously awarded to Wantman Group, Inc. (one via EDP program and one via DTPW) totaling \$100,000. The contracts are active, thus no evaluations are available at this time. According to CIIS, Wantman Group, Inc. is licensed for the following services:

- Professional architecture
- Professional engineering
- Professional geologist
- Professional land surveying and mapping
- Professional landscape architecture

The table below summarizes OCA's due diligence review of Wantman Group, Inc. on July 10, 2019.

Sunbiz.org	Tax Collector	Westlaw
Active; Established in 1991	\$75 payment due for 2020 tax year (as of July 10, 2019). https://miamidade.county-taxes.com/public/business_tax/accounts/7202780	No open cases

OCA performed a search for commodity codes 3.02 (Highway Systems-Major Highway Design); 3.04 (Highway Systems-Traffic Engineering Studies); and 3.09 (Highway Systems-Signing, Pavement Marking and Channelization) on the Business Management Workforce System's EDP Registered Firms tab on July 10, 2019. There were 116 firms with at least one of the required technical certifications listed, of which 67 were local or had local offices.

ADDITIONAL INFORMATION

OCA performed an Internet search pertaining to Wantman Group, Inc. on July 10, 2019. According to the firm's website, Wantman Group, Inc. is a national design firm with 18 offices in Florida, Texas, Michigan, Illinois, Indiana and North Carolina specializing in public and private infrastructure. Among the firm's recognitions are: Clide Award for Development Excellence (Texas) and 2019 Outstanding Project Awards for I-75 Express Lanes for FDOT (District 4).

TAF Committee Meeting: July 15, 2019
Research Notes

Item No. 3G

File No. 191471

Researcher: MF Reviewer: TD

Information about the County's Equitable Distribution Program may be accessed via ISD here:

<http://www.miamidade.gov/procurement/equitable-distribution.asp>

APPLICABLE LEGISLATION/POLICY

Section 29-124 of the County Code sets forth the role of the Citizens' Independent Transportation Trust (CITT) and the proper use of surtax proceeds. Under this Code Section, no surtax proceeds may be used to pay the costs of a contract unless the Trust has submitted a recommendation to the County Commission regarding said contract award. The County Commission, if in agreement with the Trust's recommendation, may award a contract by majority vote. The County Commission may modify or reject the recommendation of the Trust by a two-thirds vote of the Commission's membership. If the Trust has failed to forward a recommendation to the County Commission within 45 days of the County Mayor or County Mayor's designee filing an award recommendation with the Clerk of the Board, the County Commission may take action on the contract award recommendation without any Trust recommendation. Notwithstanding any other provision to the contrary, a committee of the Commission may consider a contract award recommendation prior to receipt of a recommendation of the Trust.

<https://library.municode.com/fl/miami> -

[dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH29TA_ARTXVIONHAONPECHCOTRSYSAS_UAUSE212.0551FLST2001_S29-124SPFUCRUSSUPRROCIINTRTR](https://library.municode.com/fl/miamidade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH29TA_ARTXVIONHAONPECHCOTRSYSAS_UAUSE212.0551FLST2001_S29-124SPFUCRUSSUPRROCIINTRTR)

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. The Mayor is delegated the authority to award and reject bids or proposals for contracts for public improvements (construction), and purchases of supplies, materials and services (including professional services, other than professional architectural, engineering and other services subject to section 2-10.4 and Section 287.055, Florida Statutes) costing \$1,000,000 or less, or in the case of miscellaneous construction contracts designed to provide opportunities for Community Small Business Enterprises specifically authorized by Board resolution \$5,000,000 or less, without the need for action by the County Commission.

For contract awards, information shall be added to the recommendation for award memorandum presented by the County Mayor to the Board of County Commissioners identifying (1) 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 (2) 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/miamidade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Administrative Order 3-39, adopted June 23, 2003 establishes the standard process 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 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>