



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

Board of County Commissioners Meeting

September 4, 2019
9:30 A.M.
Commission Chambers

Yinka Majekodunmi, CPA
Commission Auditor
Office of the Commission Auditor (OCA)
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Miami, FL 33128
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**BCC Meeting: September 4, 2019
Research Notes**

**Item No. 3A1
File No. 192028**

Researcher: JJ Reviewer: TD

RESOLUTION APPROVING THE STATE ROAD CODESIGNATION OF STATE ROAD 934/EAST 25TH STREET BETWEEN EAST 8TH AVENUE AND EAST 9TH AVENUE AS "TOMAS-MINERVA VINUELA WAY"

ISSUE/REQUESTED ACTION

N/A

PROCEDURAL HISTORY

**Co-Prime Sponsor: Commissioner Esteban L. Bovo, District 13 and Vice Chairwoman Rebeca Sosa, District 6
Department/Requester:**

ANALYSIS

OCA completed the required background research on "Tomas and Minerva Vinuela" noting no adverse findings.

OCA determined that there are no prior Board of County Commissioners (BCC) codesignation for "Tomas and Minerva Vinuela"

OCA has verified that "Tomas Vinuela" is deceased and "Minerva Vinuela" is living.

APPLICABLE LEGISLATION

Ordinance No. 13-29 of the Miami-Dade County Code, requiring the Office of the Commission Auditor to conduct background research on the person, organization, place, or thing that is the subject of the naming.

Ordinance No. 18-79 adopted on July 24, 2018, relates to any item codesignating any Miami-Dade County road, facility, or property, or approving any state or municipal road codesignation, and requires that OCA prepare a report detailing: (1) whether the subject road, facility, or property has been the subject of any prior codesignation and, if so, the location or the end points of each; and (2) whether there are any other roads, facilities, or properties located in Miami-Dade County that already bear the same name as the proposed new codesignation and, if so, the location or end points of each.

Ordinance No. 19-11 of the Miami-Dade County Code, amends section 2-1 of the Code revising provisions requiring Office of the Commission Auditor to conduct background research on the person, organization, place or thing that is the subject of the naming now requiring the Office of the Commission Auditor to also check if the person honored is living or dead.

**BCC Meeting: September 4, 2019
Research Notes**

**Item No. 3A2
File No. 192058**

Researcher: JJ Reviewer: TD

RESOLUTION APPROVING THE CITY OF DORAL'S CODESIGNATION OF THAT PORTION OF NW 30TH TERRACE FROM 87TH AVENUE TO NW 82ND AVENUE AS "UNIVISION WAY"

ISSUE/REQUESTED ACTION

N/A

PROCEDURAL HISTORY

**Prime Sponsor: Commissioner Jose "Pepe" Diaz, District 12
Department/Requester:**

ANALYSIS

OCA completed the required background research on "Univision Way" noting no adverse findings. Pursuant to Ordinance No. 18-79, OCA determined that there is no prior Board of County Commissioners (BCC) codesignation for "Univision Way."

APPLICABLE LEGISLATION

Ordinance No. 13-29 of the Miami-Dade County Code, requiring the Office of the Commission Auditor to conduct background research on the person, organization, place, or thing that is the subject of the naming.

Ordinance No. 18-79 adopted on July 24, 2018, relates to any item codesignating any Miami-Dade County road, facility, or property, or approving any state or municipal road codesignation, and requires that OCA prepare a report detailing: (1) whether the subject road, facility, or property has been the subject of any prior codesignation and, if so, the location or the end points of each; and (2) whether there are any other roads, facilities, or properties located in Miami-Dade County that already bear the same name as the proposed new codesignation and, if so, the location or end points of each.

Ordinance No. 19-11 of the Miami-Dade County Code, amends section 2-1 of the Code revising provisions requiring Office of the Commission Auditor to conduct background research on the person, organization, place or thing that is the subject of the naming now requiring the Office of the Commission Auditor to also check if the person honored is living or dead.

BCC Meeting: September 4, 2019
Research Notes

Item No. 3A3
File No. 191988

Researcher: JJ Reviewer: TD

RESOLUTION APPROVING THE CITY OF DORAL CODESIGNATION OF N.W. 52ND STREET BETWEEN N.W. 97TH AVENUE AND N.W. 107TH AVENUE AS “MAX SALVADOR WAY”

ISSUE/REQUESTED ACTION

N/A

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Jose “Pepe” Diaz, District 12

ANALYSIS

OCA completed the required background research on “Max Salvador” noting no adverse findings.

OCA determined that there are no prior Board of County Commissioners (BCC) codesignation for “Max Salvador” Pursuant to Ordinance No.19-11, OCA has verified that “Max Salvador” is deceased.

APPLICABLE LEGISLATION

Ordinance No. 13-29 of the Miami-Dade County Code, requiring the Office of the Commission Auditor to conduct background research on the person, organization, place, or thing that is the subject of the naming.

Ordinance No. 18-79, adopted on July 24, 2018, relates to any item codesignating any Miami-Dade County road, facility, or property, or approving any state or municipal road codesignation, and requires that OCA prepare a report detailing: (1) whether the subject road, facility, or property has been the subject of any prior codesignation and, if so, the location or the end points of each; and (2) whether there are any other roads, facilities, or properties located in Miami-Dade County that already bear the same name as the proposed new codesignation and, if so, the location or end points of each.

Ordinance No. 19-11 of the Miami-Dade County Code, amends section 2-1 of the Code revising provisions requiring Office of the Commission Auditor to conduct background research on the person, organization, place or thing that is the subject of the naming now requiring the Office of the Commission Auditor to also check if the person honored is living or dead.

BCC Meeting: September 4, 2019
Research Notes

Item No. 3A4
File No. 191990

Researcher: JJ Reviewer: TD

RESOLUTION APPROVING THE FLORIDA LEGISLATURE'S CODESIGNATION OF THE INTERCHANGE AT I-195 AND ALTON ROAD AS "TROOPER OWEN K. BENDER MEMORIAL INTERCHANGE"

ISSUE/REQUESTED ACTION

N/A

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Commission Sally A. Heyman, District 4
Department/Requester:

ANALYSIS

OCA completed the required background research on "Owen K. Bender" noting no adverse findings. Pursuant to Ordinance No. 18-79, OCA determined that there is no prior Board of County Commissioners (BCC) codesignation for "Owen K. Bender".

OCA has verified that "Owen K. Bender" is deceased.

APPLICABLE LEGISLATION

Ordinance No. 13-29 of the Miami-Dade County Code, requiring the Office of the Commission Auditor to conduct background research on the person, organization, place, or thing that is the subject of the naming.

Ordinance No. 18-79, adopted on July 24, 2018, relates to any item codesignating any Miami-Dade County road, facility, or property, or approving any state or municipal road codesignation, and requires that OCA prepare a report detailing: (1) whether the subject road, facility, or property has been the subject of any prior codesignation and, if so, the location or the end points of each; and (2) whether there are any other roads, facilities, or properties located in Miami-Dade County that already bear the same name as the proposed new codesignation and, if so, the location or end points of each.

Ordinance No. 19-11 of the Miami-Dade County Code, amends section 2-1 of the Code revising provisions requiring Office of the Commission Auditor to conduct background research on the person, organization, place or thing that is the subject of the naming now requiring the Office of the Commission Auditor to also check if the person honored is living or dead.

BCC Meeting: September 4, 2019
Research Notes

Item No. 3A5
File No. 192104

Researcher: JJ Reviewer: TD

RESOLUTION APPROVING THE CITY OF HOMESTEAD CODESIGNATION OF SW 4TH STREET FROM SW 177TH AVENUE (KROME AVENUE) TO SW 192ND AVENUE AS "MARTIN L. KING, JR. BOULEVARD"

ISSUE/REQUESTED ACTION

N/A

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Dennis C. Moss, District 9
Department/Requester:

ANALYSIS

OCA completed the required background research on "Martin L. King, Jr." noting no adverse findings. Pursuant to Ordinance No. 18-79, OCA determined that there are five prior Board of County Commissioners (BCC) codesignations for "Martin L. King, Jr.":

- NW 62nd Street from Biscayne Blvd to Hialeah
- Martin Luther King Elementary, 7124 NW 12th Ave, Miami, Florida 33150
- Martin Luther King, Jr. Memorial Park, 6000 NW 32nd Court, Miami, Florida 33142
- Dr. Martin Luther King Plaza, 6205 NW 27th. Avenue, Miami, Florida 33147
- Dr. Martin Luther King, Jr., Office Building, 2525 NW 62nd. Street , Miami, Florida 33147

OCA has verified that "Martin L. King, Jr." is deceased.

APPLICABLE LEGISLATION

Ordinance No. 13-29 of the Miami-Dade County Code, requiring the Office of the Commission Auditor to conduct background research on the person, organization, place, or thing that is the subject of the naming.

Ordinance No. 18-79, adopted on July 24, 2018, relates to any item codesignating any Miami-Dade County road, facility, or property, or approving any state or municipal road codesignation, and requires that OCA prepare a report detailing: (1) whether the subject road, facility, or property has been the subject of any prior codesignation and, if so, the location or the end points of each; and (2) whether there are any other roads, facilities, or properties located in Miami-Dade County that already bear the same name as the proposed new codesignation and, if so, the location or end points of each.

Ordinance No. 19-11 of the Miami-Dade County Code, amends section 2-1 of the Code revising provisions requiring Office of the Commission Auditor to conduct background research on the person, organization, place or thing that is the subject of the naming now requiring the Office of the Commission Auditor to also check if the person honored is living or dead.

BCC Meeting: September 4, 2019
Research Notes

Item No. 3A15
File No. 192143

Researcher: JJ Reviewer: TD

RESOLUTION APPROVING THE STATE ROAD CODESIGNATION OF THAT PORTION OF STATE ROAD 836 (DOLPHIN EXPRESSWAY) BETWEEN NW 12TH AVENUE AND NW 27TH AVENUE AS “TROOPER BRADLEY S. GLASCOCK MEMORIAL HIGHWAY”

ISSUE/REQUESTED ACTION

N/A

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Eileen Higgins, District 5

ANALYSIS

OCA completed the required background research on “Bradley S. Glascock” noting no adverse findings.

OCA determined there are no prior Board of County Commissioners (BCC) codesignation for “Bradley S. Glascock.”

OCA has verified that “Bradley S. Glascock” is deceased.

APPLICABLE LEGISLATION

Ordinance No. 13-29 of the Miami-Dade County Code, requiring the Office of the Commission Auditor to conduct background research on the person, organization, place, or thing that is the subject of the naming.

Ordinance No. 18-79 adopted on July 24, 2018, relates to any item codesignating any Miami-Dade County road, facility, or property, or approving any state or municipal road codesignation, and requires that OCA prepare a report detailing: (1) whether the subject road, facility, or property has been the subject of any prior codesignation and, if so, the location or the end points of each; and (2) whether there are any other roads, facilities, or properties located in Miami-Dade County that already bear the same name as the proposed new codesignation and, if so, the location or end points of each.

Ordinance No. 19-11 of the Miami-Dade County Code, amends section 2-1 of the Code revising provisions requiring Office of the Commission Auditor to conduct background research on the person, organization, place or thing that is the subject of the naming now requiring the Office of the Commission Auditor to also check if the person honored is living or dead.

**BCC Meeting: September 4, 2019
Research Notes**

**Item No. 3A16
File No. 192147**

Researcher: JJ Reviewer: TD

RESOLUTION APPROVING THE STATE ROAD CODESIGNATION OF THAT PORTION OF STATE ROAD A1A (MACARTHUR CAUSEWAY) BETWEEN BRIDGE ROAD AND FOUNTAIN STREET AS “ROBERT L. SHEVIN WAY”

ISSUE/REQUESTED ACTION

N/A

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Eileen Higgins, District 5

ANALYSIS

OCA completed the required background research on “Robert L. Shevin” noting no adverse findings.

OCA determined there is one prior Board of County Commissioners (BCC) codesignation for “Robert L. Shevin”, listed as follow:

- FDOT Designation Miami AV NE 5 Street to SE 7th Street SB-368 - 7/1/2017 (County approval R-1141-17)

OCA has verified that “Robert L. Shevin” is deceased.

APPLICABLE LEGISLATION

Ordinance No. 13-29 of the Miami-Dade County Code, requiring the Office of the Commission Auditor to conduct background research on the person, organization, place, or thing that is the subject of the naming.

Ordinance No. 18-79 adopted on July 24, 2018, relates to any item codesignating any Miami-Dade County road, facility, or property, or approving any state or municipal road codesignation, and requires that OCA prepare a report detailing: (1) whether the subject road, facility, or property has been the subject of any prior codesignation and, if so, the location or the end points of each; and (2) whether there are any other roads, facilities, or properties located in Miami-Dade County that already bear the same name as the proposed new codesignation and, if so, the location or end points of each.

Ordinance No. 19-11 of the Miami-Dade County Code, amends section 2-1 of the Code revising provisions requiring Office of the Commission Auditor to conduct background research on the person, organization, place or thing that is the subject of the naming now requiring the Office of the Commission Auditor to also check if the person honored is living or dead.

**BCC Meeting: September 4, 2019
Research Notes**

**Item No. 3A17
File No. 192150**

Researcher: JJ Reviewer: TD

RESOLUTION APPROVING THE STATE ROAD CODESIGNATION OF THAT PORTION OF STATE ROAD 836 (DOLPHIN EXPRESSWAY) BETWEEN NW 42ND AVENUE AND NW 72ND AVENUE AS “TROOPER ELMER C. BARNETT MEMORIAL HIGHWAY”

ISSUE/REQUESTED ACTION

N/A

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Rebeca Sosa, District 6

ANALYSIS

OCA completed the required background research on “Elmer C. Barnett” noting no adverse findings.

OCA determined there is one prior Board of County Commissioners (BCC) codesignation for “Elmer C. Barnett.”

- Red Road SW 152nd Street to SW 168th Street (R-500-00)

OCA has verified that “Elmer C. Barnett” is deceased.

APPLICABLE LEGISLATION

Ordinance No. 13-29 of the Miami-Dade County Code, requiring the Office of the Commission Auditor to conduct background research on the person, organization, place, or thing that is the subject of the naming.

Ordinance No. 18-79 adopted on July 24, 2018, relates to any item codesignating any Miami-Dade County road, facility, or property, or approving any state or municipal road codesignation, and requires that OCA prepare a report detailing: (1) whether the subject road, facility, or property has been the subject of any prior codesignation and, if so, the location or the end points of each; and (2) whether there are any other roads, facilities, or properties located in Miami-Dade County that already bear the same name as the proposed new codesignation and, if so, the location or end points of each.

Ordinance No. 19-11 of the Miami-Dade County Code, amends section 2-1 of the Code revising provisions requiring Office of the Commission Auditor to conduct background research on the person, organization, place or thing that is the subject of the naming now requiring the Office of the Commission Auditor to also check if the person honored is living or dead.

**BCC Meeting: September 4, 2019
Research Notes**

**Item No. 5A
File No. 192066**

Researcher: JJ Reviewer: TD

RESOLUTION NAMING HOSPITAL CAMPUS LOCATED IN THE CITY OF DORAL “JACKSON WEST MEDICAL CENTER”

ISSUE/REQUESTED ACTION

N/A

PROCEDURAL HISTORY

**Prime Sponsor: Commissioner Jose “Pepe” Diaz, District 12
Department/Requester:**

ANALYSIS

OCA completed the required background research on “Jackson West Medical Center” noting no adverse findings. Pursuant to Ordinance No. 18-79, OCA determined that there is no prior Board of County Commissioners (BCC) codesignation for “Jackson West Medical Center.”

APPLICABLE LEGISLATION

Ordinance No. 13-29 of the Miami-Dade County Code, requiring the Office of the Commission Auditor to conduct background research on the person, organization, place, or thing that is the subject of the naming.

Ordinance No. 18-79 adopted on July 24, 2018, relates to any item codesignating any Miami-Dade County road, facility, or property, or approving any state or municipal road codesignation, and requires that OCA prepare a report detailing: (1) whether the subject road, facility, or property has been the subject of any prior codesignation and, if so, the location or the end points of each; and (2) whether there are any other roads, facilities, or properties located in Miami-Dade County that already bear the same name as the proposed new codesignation and, if so, the location or end points of each.

Ordinance No. 19-11 of the Miami-Dade County Code, amends section 2-1 of the Code revising provisions requiring Office of the Commission Auditor to conduct background research on the person, organization, place or thing that is the subject of the naming now requiring the Office of the Commission Auditor to also check if the person honored is living or dead.

**BCC Meeting: September 4, 2019
Research Notes**

**Item No. 5B
File No. 191983**

Researcher: JJ Reviewer: TD

RESOLUTION NAMING THE BUILDING CURRENTLY KNOWN AS THE “HIGHLAND PROFESSIONAL BUILDING” THE “JACKSON PROFESSIONAL CENTER”

ISSUE/REQUESTED ACTION

N/A

PROCEDURAL HISTORY

**Prime Sponsor: Chairwoman Audrey M. Edmonson, District 3
Department/Requester:**

ANALYSIS

OCA completed the required background research on “Jackson Professional Center” noting no adverse findings. Pursuant to Ordinance No. 18-79, OCA determined that there is no prior Board of County Commissioners (BCC) codesignation for “Jackson Professional Center.”

APPLICABLE LEGISLATION

Ordinance No. 13-29 of the Miami-Dade County Code, requiring the Office of the Commission Auditor to conduct background research on the person, organization, place, or thing that is the subject of the naming.

Ordinance No. 18-79 adopted on July 24, 2018, relates to any item codesignating any Miami-Dade County road, facility, or property, or approving any state or municipal road codesignation, and requires that OCA prepare a report detailing: (1) whether the subject road, facility, or property has been the subject of any prior codesignation and, if so, the location or the end points of each; and (2) whether there are any other roads, facilities, or properties located in Miami-Dade County that already bear the same name as the proposed new codesignation and, if so, the location or end points of each.

Ordinance No. 19-11 of the Miami-Dade County Code, amends section 2-1 of the Code revising provisions requiring Office of the Commission Auditor to conduct background research on the person, organization, place or thing that is the subject of the naming now requiring the Office of the Commission Auditor to also check if the person honored is living or dead.

BCC Meeting: September 4, 2019
Research Notes

Item No. 5S
File No. 192129

Researcher: JJ Reviewer: TD

RESOLUTION CODESIGNATING THAT PORTION OF SW 93RD STREET FROM SW 104TH PLACE TO SW 107TH AVENUE AS “MS. MARY ANN GIL-ALONSO WAY”

ISSUE/REQUESTED ACTION

N/A

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Xavier L. Suarez, District 7

ANALYSIS

OCA completed the required background research on “Mary Ann Gil-Alonso” noting no adverse findings.

OCA determined there are no prior Board of County Commissioners (BCC) codesignation for “Mary Ann Gil-Alonso.”

OCA has verified that “Mary Ann Gil-Alonso” is deceased.

APPLICABLE LEGISLATION

Ordinance No. 13-29 of the Miami-Dade County Code, requiring the Office of the Commission Auditor to conduct background research on the person, organization, place, or thing that is the subject of the naming.

Ordinance No. 18-79 adopted on July 24, 2018, relates to any item codesignating any Miami-Dade County road, facility, or property, or approving any state or municipal road codesignation, and requires that OCA prepare a report detailing: (1) whether the subject road, facility, or property has been the subject of any prior codesignation and, if so, the location or the end points of each; and (2) whether there are any other roads, facilities, or properties located in Miami-Dade County that already bear the same name as the proposed new codesignation and, if so, the location or end points of each.

Ordinance No. 19-11 of the Miami-Dade County Code, amends section 2-1 of the Code revising provisions requiring Office of the Commission Auditor to conduct background research on the person, organization, place or thing that is the subject of the naming now requiring the Office of the Commission Auditor to also check if the person honored is living or dead.

**BCC Meeting: September 4, 2019
Research Notes**

**Item No. 7G
File No. 191255**

Researcher: JFP Reviewer: TD

ORDINANCE RELATING TO RESTORATION OF RIGHT-OF-WAY AFTER PUBLIC WORK OR CONSTRUCTION; AMENDING SECTION 2-103.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; SHORTENING TIME PERIODS TO RESTORE RIGHT-OF-WAY AFTER PUBLIC WORK OR CONSTRUCTION AND PROVIDE NOTICE OF RESTORATION TIME PERIOD; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should amend Section 2-103.1 of the County Code to shorten time periods to restore right-of-way after public work or construction and provide notice of restoration time period.

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Joe A. Martinez, District 11

Department/Requester: None

This item was forwarded to the BCC with a favorable recommendation, following a public hearing at which no members of the public elected to speak, by the Infrastructure & Capital Improvements Committee at its July 15, 2019 meeting.

ANALYSIS

The purpose of this item is to amend the County Code (Section 2-103.1), reducing the time periods of rights-of-way restoration after work or construction projects from 45 days to 30 days to mitigate the loss of use of sidewalks and curbs by residents, in an effort to be mindful particularly of the elderly and disabled in need of these accommodations. The amendment to the proposed ordinance affects the County's unincorporated area, shortening the period by which the right-of-way, including sidewalks, curbs and gutters, as well as landscaping must be restored to their previous condition.

The expedited work may result in a code enforcement workload increase and a resulting need for additional staff, producing an indeterminate negative fiscal impact to the County. The civil fine of \$500 per violation per day, as well as \$500 per day for each affected adjacent property, for any entity failing to restore the right-of-way to its preexisting condition or better within the time permitted remains unchanged.

The below table depicts Section 2-of the County Code as it currently reads and contrasts it with the proposed changes, with underlined words denoting the amendment proposed and words stricken through specifying deletions.

Section 2-103.1 of the County Code	Proposed Amendments to Section 2-103.1 of the County Code
Sec. 2-103.1. - Construction of public utilities or works in public rights-of-way; construction of paving and drainage on private property—Permit required; effect of installation of County facility; exemption.	Sec. 2-103.1. - Construction of public utilities or works in public rights-of-way; construction of paving and drainage on private property—Permit required; effect of installation of County facility; exemption.
* * *	* * *

BCC Meeting: September 4, 2019
Research Notes

Item No. 7G
File No. 191255

Researcher: JFP Reviewer: TD

(b) Whenever any person, corporation, partnership, association, County Department or other legal entity performs any construction or public work within an existing right-of-way located within unincorporated Miami-Dade County, or in right-of-ways of roads or streets located within municipalities that are maintained by the County, the right-of-way, including sidewalks, curbs and gutters, landscaping and must be restored to their legally permissible preexisting condition, including any aesthetic enhancements thereto and any adjacent private property damaged during construction, within forty-five (45) days of completion of the construction or public work in that right of way or within forty-five (45) days of damage to the affected property or area, which ever occurs first. Prior to the time such construction work begins, the contractor, by posting the construction site, shall inform the local community of the requirement to restore the right-of-way as well as any affected adjacent private property and the fines that could be imposed for each failure to do so. All work to be done pursuant to this Section shall be performed in compliance with the Public Works Manual. Any entity failing to restore the right-of-way to its preexisting condition or better within the time permitted shall be subject to a civil fine of five hundred dollars (\$500.00) per violation per day until such time as the right-of-way is restored, as well as five hundred dollars (\$500.00) per day for each affected adjacent private property until it is restored.

(b) Whenever any person, corporation, partnership, association, County Department or other legal entity performs any construction or public work within an existing right-of-way located within unincorporated Miami-Dade County, or in right-of-ways of roads or streets located within municipalities that are maintained by the County, the right-of-way, including sidewalks, curbs and gutters, landscaping and must be restored to their legally permissible preexisting condition, including any aesthetic enhancements thereto and any adjacent private property damaged during construction, within ~~forty-five (45) days~~ 30 days of completion of the construction or public work in that right of way or within ~~forty-five (45) days~~ 30 days of damage to the affected property or area, which ever occurs first. Prior to the time such construction work begins, the contractor, by posting the construction site, shall inform the local community of the requirement to restore the right-of-way within the 30 day period as well as any affected adjacent private property and the fines that could be imposed for each failure to do so. All work to be done pursuant to this Section shall be performed in compliance with the Public Works Manual. Any entity failing to restore the right-of-way to its preexisting condition or better within the time permitted shall be subject to a civil fine of five hundred dollars (\$500.00) per violation per day until such time as the right-of-way is restored, as well as five hundred dollars (\$500.00) per day for each affected adjacent private property until it is restored.

APPLICABLE LEGISLATION/POLICY

Section 2-103.1 of the Code of Miami-Dade County relates to construction of public utilities or works in public rights-of-way.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTXIVPUWODE_S2-103.1COPUUTWOPURI-WCOPADRP RP RP RREEFINCOFAEX

**BCC Meeting:
September 4, 2019
Research Notes**

**Item No. 8A2
File No. 191637**

Researcher: IL Reviewer: TD

RESOLUTION APPROVING CONTRACT WEST CARGO FUEL TENDER FACILITY RELOCATION PROJECT AT MIAMI INTERNATIONAL AIRPORT, MDAD PROJECT NO. P256E, BETWEEN MIAMI-DADE COUNTY AND CHEROKEE ENTERPRISES, INC. IN THE AMOUNT OF \$18,569,192.38 AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME, AND TO EXERCISE THE PROVISIONS THEREOF INCLUDING TERMINATION PROVISIONS

ISSUE/REQUESTED ACTION

Whether the Board should approve a contract award to Cherokee Enterprises, Inc. to relocate fuel tender facility at Miami International Airport Project No. P256E, in the amount of \$18,569,192.38 for the Miami-Dade Aviation Department.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Miami-Dade Aviation Department (MDAD)

This item was brought before the TAP's committee on July 16, 2019 and forwarded to the BCC with a favorable recommendation.

ANALYSIS

The purpose of this item is to award a contract to Cherokee Enterprises, Inc., to provide all permits, labor, tools, materials, equipment and incidentals, to relocate the existing West Cargo Fuel Tender facility allowing the extension of Taxiway R to accommodate larger aircraft. The new facility consists of a nine bay canopied fuel facility to be used to load jet fuel into aircraft re-fueler trucks as well as offload and dispense diesel.

The fiscal impact to the County is \$19,849,203 for a total contract period of 273 calendar-days. Additionally, there is an annualized operational cost between \$350,000 and \$400,000 and an annualized maintenance cost between \$50,000 and \$75,000.

Project P256 was advertised on February 19, 2019 under full and open competition. On April 10, 2019, MDAD received and opened two responsive bids which were forwarded to the Internal Services Department (ISD), Division of Small Business Development (SBD) for compliance review. On May 13, 2019 SBD issued a compliance satisfaction for both vendors. TY Lin International (TY) is MDAD's engineer of record and was charged with evaluating the bid information on May 14, 2019. TY noted that Cherokee Enterprise, Inc. base bid is approximately 6.4 percent below the engineer's base estimate.

A procedural issue arose in this procurement because the bid documents submitted by the bidder contained a Buy American Certificate requiring bidders to list parts not made in the USA. If the bidder was not using foreign made parts, the bidder was instructed to write the language "No Exceptions" on the certificate. Cherokee Enterprises, Inc. did not list parts not American made, nor did they write "No Exceptions" on the Buy American Certificate. The County Attorney's office (CAO) was contacted to opine on this matter and CAO advised that the absence of listing foreign parts implied that Cherokee Enterprise, Inc., will deliver American made parts. The legal opinion was attached to the item pursuant to I.O. 2-13.

**BCC Meeting:
September 4, 2019
Research Notes**

**Item No. 8A2
File No. 191637**

Researcher: IL Reviewer: TD

OCA conducted a review of the Capital Improvement Information System (CIIS) pursuant to R-421-16, on August 9, 2019 for Cherokee Enterprises, Inc., the firm has had 124 evaluations with an average evaluation of 3.3 out of 4.0.

Project No. P256E was assigned Small Business Enterprise (SBE) goals in the following manner: SBE-CON 14%, SBE G/S .6% and a Community Workforce Program goal of 10%, this project did not have an SBE A/E goal as it is a construction project. The following firms will complete comply with the SBE goals for this contract as sub-contractors of Cherokee Enterprises, Inc.: Homestead Concrete & Drainage, Inc., will perform 2.50% and Ruben Electric Technology, Inc. will perform 11.50%. A & B Pipe and Supply, Inc. Global Distribution Industries to comply with .60% of the SBE G&S goal.

OCA performed a search for commodity codes 65800 (Pipe and Tubing); 65900 (Pipe and Tubing Fittings); 237310 (Highway, Street, and Bridge Construction); 238910 (Site Preparation Contractors); 238190 (Awning Installation); 236220 (Commercial and Institutional Building Construction); 238110 (Poured Concrete Foundation and Structure Contractors) and 237120 (Oil and Gas Pipeline and related Structures Construction) on the Business Management Workforce System's Certified Vendor Directory on August 9, 2019. Codes 65800 and 65900 yielded 14 SBE-Firms and codes 236220, 237120, 237310, 238110, 238190, and 238910 yielded 442 SBE-Firms.

OCA conducted a comprehensive review on the sites below on August 9, 2019.

Firm Name	Local/Not Local	Tax Collector	Sunbiz	West Law	Florida Department of Business & Professional Regulation	Bid Amount
Cherokee Enterprises, Inc.	Local	Multiple Accounts	Principal Address: 14474 Commerce Way, Miami Lakes, FL 33016 Active 1999	CACE19010513 05/15/2019 Tort Claims for Auto Negligence Case Status: Pending	Licenses: Underground Utility and Excavation Contractor; Certified Building Contractor; and Certified Pollutant Storage System and Geological License.	\$18,569,192.38
Gonzalez & Sons Equipment, Inc.	Local	Multiple Accounts	Principal Address: 14450 NW 102 nd Ave, Hialeah, FL	CACE17004698 03/08/2017 Tort Case for Auto Negligence		\$19,118,266.58

**BCC Meeting:
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Research Notes**

**Item No. 8A2
File No. 191637**

Researcher: IL Reviewer: TD

			33018. Active 1990	Case Status: Pending		
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MDAD has provided Form 300 OSHA logs of work-related injuries and illness pursuant to Resolution No. R-1181-18.

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

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

<http://www.miamidade.gov/govaction/matter.asp?matter=141211&file=true&fileAnalysis=false&yearFolder=Y2014>

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.

<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-1181-18, adopted November 8, 2018, directs the County Mayor to consider safety records of prospective contractors and first-tier sub-contractors for public construction projects, and confirm the safety records of recommended contractors and first-tier subcontractors were considered and report any instance where the safety record may adversely affect a finding of contractor responsibility in the award memorandum to the Board.

<http://www.miamidade.gov/govaction/matter.asp?matter=182536&file=true&fileAnalysis=false&yearFolder=Y2018>

Implementing Order No. 8-8, set forth on December 14, 2007, established it to be the policy of Miami-Dade 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>

**BCC Meeting:
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Research Notes**

Item No. 8A2

File No. 191637

Researcher: IL Reviewer: TD

Implementing Order No. 2-13 sets forth on October 14, 2011, the County's guidelines and procedures regarding legal opinions with respect to the County Competitive Process and requires a County attorney opinion if issues to be attached to the an agenda item coming before the Boards consideration.

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

Implementing Order No. 3-38 sets forth on March 18, 2016, 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>

**BCC Meeting: September 4, 2019
Research Notes**

**Item No. 8A3
File No. 191639**

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND T.Y. LIN INTERNATIONAL FOR STORMWATER POLLUTION PREVENTION PLAN, CONTRACT NO. E17-MDAD-05, IN AN AMOUNT NOT TO EXCEED \$1,102,750.00 FOR A TERM OF SIX YEARS WITH TWO ONE YEAR OPTIONS TO EXTEND; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE EXTENSION AND TERMINATION PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the Professional Services Agreement (PSA), *Contract No. E17-MDAD-05*, with T.Y. Lin International for a Stormwater Pollution Prevention Plan in an amount of up to \$1,102,750 for a term of six years plus two, one-year options to extend for the Aviation Department.

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Aviation

The item was considered at the July 16, 2019 meeting of the Tourism and the Ports Committee wherein it was forwarded to the Board with a favorable recommendation.

ANALYSIS

The purpose of this item is for the Aviation Department (MDAD) to establish a Stormwater Pollution Prevention Plan PSA with T.Y. Lin International. The value of the PSA is \$1,102,750 (i.e., base estimate of \$1,000,000, Inspector General Fee of \$2,750 and a contingency allowance of \$100,000) for a term of six years plus two, one-year options to extend. The project location encompasses Miami International Airport, Miami Opa-Locka Executive Airport, Miami Executive Airport, Miami Homestead General Aviation Airport and Dade-Collier Training and Transition Airport.

Under the PSA, the architect/engineer shall perform services associated with the industrial and construction stormwater discharges from MDAD facilities to the South Florida Water Management District and County canals. The scope of services for industrial activities includes the update of the Stormwater Pollution Prevention Plans, annual inspections to MDAD tenants participating in the program to ensure permit compliance, incorporate new tenants to the Stormwater Pollution Prevention Plan report, eliminate tenants no longer in business with MDAD and conduct inspections/audits to facilities to identify best management practices. For construction activities, the services will include the update of the Stormwater Pollution Prevention Plan Guidance Document for Projects Currently Under Design.

The PSA sets a phased approach to service delivery as follows:

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

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Item No. 8A3
File No. 191639

Researcher: PGE Reviewer: TD

The Notice to Professional Consultants was issued on November 20, 2017. Seven proposals were received on December 20, 2017. T.Y. Lin International, the recommended awardee, was the top-ranked firm. The PSA includes a 10 percent A/E goal and 0.75 percent G/S goal.

T.Y. Lin International is an active foreign for-profit corporation, per an August 22, 2019 search on Sunbiz.org, the official State of Florida, Division of Corporations website. The firm's principal address is 345 California Street, Suite 2300, San Francisco, California. Based on information found on the website of the Florida Department of Business and Professional Regulation on August 22, 2019, the firm's principal, Mariano Valle, is a licensed professional engineer.

Pursuant to Resolution No. R-421-16, a performance record verification was conducted in the Capital Improvements Information System (CIIS) on August 22, 2019, finding that T.Y. Lin International has a total evaluation count of 6 with an average evaluation rating of a 4.0 out of a maximum score of 4.0. The CIIS Contractor Evaluations Report shows two previous MDAD contracts.

DEPARTMENTAL INPUT

The following information was provided by MDAD in response to OCA's inquiry. MDAD's response has been bolded.

- Whether MDAD has in-house staff (i.e., architects/engineers) capable of delivering the needed solicited services; if MDAD does, in fact, have such in-house architects/engineers, what drove the decision to outsource the work? If MDAD does not have such staff, provide the operational rationale.
- **Stormwater Pollution Prevention Plan (SWPPP) services require an experienced staff of professionals which possess years of training in regulatory compliance, facilities auditing related to industrial activities including a detailed Stormwater Questionnaire, identification and implementation of construction and industrial best management practices and monitoring of the implemented SWPPP in compliance with the Multi-Sector Generic Permit for Construction and Industrial Activities. The preparation of the SWPPP for all MDAD tenants and shops at MIA, OPF and TMB is a labor intensive process that requires a significant amount of time to conduct. The audits are conducted on an annual basis on all MDAD tenants and shops at MIA, OPF and TMB and the SWPPP is updated on as needed basis depending on the conditions and operations of the facilities. The time and resources required to outsource and manage this scope of work is substantially less than performing the service in-house. Having a third party audit the MDAD shops also provides an unbiased evaluation.**

ADDITIONAL INFORMATION

A deceased man's family is suing T.Y. Lin International Great Lakes Inc. and T.Y. Lin International for alleged negligence and for allegedly taking insufficient measures to prevent injuries. Edyta Tucharski, independent administrator of the estate of Konrad Tucharski, filed a complaint on August 8, 2017 in Cook County Circuit Court, alleging Tucharski sustained a serious skull injury when his head collided with a concrete sewer pipe due to the force of a sewer trench caving in on top of him after the defendants failed to warn their workers about not working outside of the protection of the trench shield, a device that protects workers from debris in case a trench caves in. The plaintiff seeks judgment against the defendants in an amount greater than \$50,000.

<https://cookcountyrecord.com/stories/511178843-t-y-lin-international-group-accused-of-negligence-in-fatal-sewer-accident>

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**Item No. 8A3
File No. 191639**

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T.Y. Lin International was sued in the Superior Court of Santa Clara County for breach of a contract for the design and construction of the Silicon Valley Berryessa Extension Project for the Santa Clara Valley Transit Authority by failing to meet the standard of care and by providing incorrect, misleading and defective design information, causing damages to the Plaintiff, Skanska-Shimmick-Herzog (See Santa Clara County Superior Court Case # 16CV298747).

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

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

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

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

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>

BCC Meeting: September 4, 2019
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Item No. 8A3

File No. 191639

Researcher: PGE Reviewer: TD

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>

Resolution No. R-421-16, adopted by the Board on May 17, 2016, requires (1) the County Mayor 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; and (2) all County departments to complete contractor evaluations before closing out a contract and making final payment to a contractor.

<http://www.miamidade.gov/govaction/matter.asp?matter=160124&file=true&fileAnalysis=false&yearFolder=Y2016>

Ordinance No. 14-79, adopted by the Board on 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>

BCC Meeting: September 4, 2019
Research Notes

Item No. 8A4
File No. 191641

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND MILIAN, SWAIN AND ASSOCIATES, INC.; FOR STORMWATER SAMPLING AND MONITORING, CONTRACT NO. E17-MDAD-04 IN AN AMOUNT NOT TO EXCEED \$1,102,750.00 FOR A TERM OF SIX YEARS WITH TWO ONE YEAR OPTIONS TO EXTEND; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE EXTENSION AND TERMINATION PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the Professional Services Agreement (PSA), *Contract No. E17-MDAD-04*, with Milian, Swain and Associates, Inc. for stormwater sampling and monitoring services in an amount of up to \$1,102,750 for a term of six years plus two, one-year options to extend for the Aviation Department.

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Aviation

This item was considered at the July 16, 2019 meeting of the Tourism and the Ports Committee wherein it was forwarded to the Board with a favorable recommendation.

ANALYSIS

The purpose of this item is for the Aviation Department (MDAD) to establish a Stormwater Sampling and Monitoring PSA with Milian, Swain and Associates, Inc. The value of the PSA is \$1,102,750 (i.e., base estimate of \$1,000,000, Inspector General Fee of \$2,750 and a contingency allowance of \$100,000) for a term of six years plus two, one-year options to extend. The project location encompasses Miami International Airport, Miami Opa-Locka Executive Airport, Miami Executive Airport, Miami Homestead General Aviation Airport and Dade-Collier Training and Transition Airport.

Under the PSA, the architect/engineer shall provide sampling and monitoring services for the stormwater system to fulfill the sampling and reporting requirements mandated by Florida Department of Environmental Protection, South Florida Water Management District (SFWMD) and the Regulatory and Economic Resources Department. The modification of the existing SFWMD permit is included in the scope of services. Sampling services include sampling events such as monthly background, primary storm events in the wet and dry seasons and investigative work. Reporting services include conducting data analysis, laboratory coordination, preparing SFWMD annual report and any supportive tasks ancillary to the primary scope of services. The testing laboratory services will be provided by the County.

The PSA sets a phased approach to service delivery as follows:

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

**BCC Meeting: September 4, 2019
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**Item No. 8A4
File No. 191641**

Researcher: PGE Reviewer: TD

The Notice to Professional Consultants was issued on November 20, 2017. Three proposals were received on December 20, 2017. Milian, Swain and Associates, Inc., the recommended awardee, was the top-ranked firm. The PSA includes a 10 percent A/E goal and 0.75 percent G/S goal.

Milian, Swain and Associates, Inc. is an active Florida for-profit corporation, per an August 23, 2019 search on Sunbiz.org, the official State of Florida, Division of Corporations website. The firm's principal address is 2025 SW 32 Avenue, Miami, Florida. Based on information found on the website of the Florida Department of Business and Professional Regulation on August 23, 2019, the firm's principal, Arsenio Milian, is a licensed professional engineer.

Pursuant to Resolution No. R-421-16, a performance record verification was conducted in the Capital Improvements Information System on August 23, 2019, finding that Milian, Swain and Associates, Inc. has a total evaluation count of 33 with an average evaluation rating of a 3.6 out of a maximum score of 4.0.

DEPARTMENTAL INPUT

The following information was provided by MDAD in response to OCA's inquiry. MDAD's response has been bolded.

- Whether MDAD has in-house staff (i.e., architects/engineers) capable of delivering the needed solicited services; if MDAD does, in fact, have such in-house architects/engineers, what drove the decision to outsource the work? If MDAD does not have such staff, provide the operational rationale.
- **Stormwater Sampling and Monitoring Program (SSMP) services require an experienced staff of professionals which possess years of training in regulatory compliance, sampling and testing procedures and protocols. Additionally, the sampling process is labor intensive and requires intermittent on-call service to collect the samples monthly and when a primary rainfall event is observed at MIA. The monthly and primary sampling are conducted at eleven different locations at MIA. Once collected, the samples are secured and transported to the laboratory for testing. The results are reviewed, and reports are generated documenting the parameters. In addition, the services associated to investigative sampling events and reports as well as laboratory audits and implementation of quality control programs require highly qualified and experienced specialists to determine the cause of parameters above the Surface Water Quality Criteria. An annual report is compiled by the Consultant and distributed to the regulatory agencies to demonstrate compliance with permit requirements. The time and resources required to outsource and manage this scope of work is substantially less than performing the service in-house.**

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.

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Researcher: PGE Reviewer: TD

[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>

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>

Resolution No. R-421-16, adopted by the Board on May 17, 2016, requires (1) the County Mayor 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; and (2) all County departments to complete contractor evaluations before closing out a contract and making final payment to a contractor.

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Item No. 8A4

File No. 191641

Researcher: PGE Reviewer: TD

<http://www.miamidade.gov/govaction/matter.asp?matter=160124&file=true&fileAnalysis=false&yearFolder=Y2016>

Ordinance No. 14-79, adopted by the Board on 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>

BCC Meeting: September 4, 2019
Research Notes

Item No. 8A5
File No. 191644

Researcher: MF Reviewer: TD

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND TETRA TECH, INC; FOR UTILITIES MASTER PLAN (WATER) FOR THE MIAMI-DADE AVIATION DEPARTMENT, CONTRACT NO. E17-MDAD-03 IN AN AMOUNT NOT TO EXCEED \$2,205,500 FOR A TERM OF SIX YEARS WITH TWO ONE YEAR OPTIONS TO EXTEND; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE EXTENSION AND TERMINATION PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve a professional services agreement totaling \$2,205,000 for Utilities Master Plan (Water) for the Miami-Dade Aviation Department.

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Miami-Dade Aviation Department (MDAD)

The item was heard at the Tourism and Ports Committee meeting of July 16, 2019 and forwarded to the BCC meeting of September 4, 2019 with a favorable recommendation.

ANALYSIS

The purpose of this item is for the Board to authorize a professional services contract between the County and Tetra Tech, Inc. for Utilities Master Plan (water) for MDAD. According to the mayor's memo, Tetra Tech, Inc. will provide professional engineering services to collect and review as-built data, field verify as-built conditions, update the utility atlas, update existing modeling scenarios, reestablish future modeling scenarios, update the master plan, review and update MDAD design guidelines, and assist MDAD with environmental and permitting issues. The Utilities Master Plan work will encompass Miami International Airport, Opa-Locka Executive Airport, Miami Executive Airport, Miami Homestead General Aviation Airport, and Dade-Collier Training and Transition Airport.

The fiscal impact to the County is \$2,205,500, and the contract will have a term of six years and two one-year options to extend.

The County submitted a Request to Advertise (RTA) on October 10, 2017 and received two proposals. Subsequently, the Competitive Selection Committee evaluated the proposals and recommended Tetra Tech, Inc. and SRS Engineering, Inc. for negotiations; those negotiations concluded with Tetra Tech, Inc. being selected as the top-ranked firm on March 5, 2019. Per the mayor's memo, the selected firm has a minimum of five years of cumulative project experience, in developing and maintaining water master plans and associated computer modeling in facilities of similar size and complexity as MIA. The contract requires a 10% allocation for SBE A&E and 0.75% allocation for SBE G&S.

OCA reviewed the Capital Improvements Information System (CIIS) on July 12, 2019 and found seven contracts were previously awarded to Tetra Tech, Inc. totaling \$9,500,000. The CIIS system shows seven evaluations for the firm with an average rating of 4.0 out of 4.0. According to CIIS, Tetra Tech, Inc. is licensed for multiple services, including the following:

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Item No. 8A5

File No. 191644

Researcher: MF Reviewer: TD

- Transportation Planning-Aviation and Airport Master Planning
- Highway Systems – Site Development and Parking Lot Design
- Highway Systems – Major Highway Design
- Highway Systems – Bridge Design
- Port and Waterway Systems – Engineering Design

The table below summarizes OCA's due diligence review of Tetra Tech, Inc. on July 12, 2019.

Sunbiz.org	Tax Collector	Westlaw
Active; Established in 1988	Paid https://miamidade.county-taxes.com/public/tangible/parcels/40-253855/bills/1713095	No open cases

OCA performed a search for commodity codes 4.01 (Aviation Systems-Engineering Design); 6.01 (Water and Sewer Systems-Water Distribution and Sanitary Sewage Collection and Transmission); and 15.01 (Surveying and Mapping-Land Surveying) on the Business Management Workforce System on July 12, 2019. There were 81 local firms with at least one of the required technical certifications listed.

ADDITIONAL INFORMATION

OCA performed an Internet search pertaining to Tetra Tech, Inc. on July 12, 2019. According to the firm's website, Tetra Tech, Inc. has been ranked #1 in water expertise on the list of "Top 500 Design Firms" by the 2019 publication Engineering News-Record for the 16th year in a row. The firm has also won awards such as the Climate Change Business Journal Business Achievement Award for Consulting & Engineering Practice (2019) and the City of Houston Office of Business Opportunity Goods and Services Prime Contractor of the Year Award (2019).

<https://www.tetrattech.com/en/articles/tetra-tech-is-no1-in-water-for-16-years>

DEPARTMENTAL INPUT

OCA asked the Aviation Department the following question on August 26, 2019; The Department submitted a response on August 27, 2019 and is shown below in bold.

- Please indicate why this type of service cannot be performed with in-house engineers.
Utilities (Water Supply) Master Planning and modeling efforts require highly specialized staff of professionals which possess years of training and experience in modeling software and utility infrastructure. Additionally, the model calibration process is labor intensive and starts with the procurement of software and equipment and the development and calibration of the master plan models which require a significant amount of time to implement. These modeling efforts are done on as needed basis and not conducive to having dedicated in house staff. The time and resources required to outsource and manage this scope of work is substantially less than performing the service in-house.

APPLICABLE LEGISLATION/POLICY

Section 2-10.4 of the County Code sets forth the acquisition of professional architectural, engineering, landscape or land surveying mapping services.

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Research Notes

Item No. 8A5

File No. 191644

Researcher: MF Reviewer: TD

[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)

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/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Ordinance 14-79, adopted September 23, 2014, sets forth the requirement that in all agenda items related to planning, design and construction of county infrastructure a statement be included that the impact of sea level rise has been considered.

[http://www.miamidade.gov/govaction/matter.asp?matter=141211&file=true&fileAnalysis=false&yearFolder=Y201](http://www.miamidade.gov/govaction/matter.asp?matter=141211&file=true&fileAnalysis=false&yearFolder=Y2014)

[4](#)

BCC Meeting: September 4, 2019
Research Notes

Item No. 8C1
File No. 191690

Researcher: JFP Reviewer: TD

RESOLUTION AUTHORIZING THE FUNDING OF A \$25,000.00 GRANT FROM THE DEPARTMENT OF CULTURAL AFFAIRS AS FISCAL AGENT FOR THE SOUTH FLORIDA CULTURAL CONSORTIUM TO MUSEUM OF CONTEMPORARY ART, INC., FOR THE REGIONAL EXHIBITION OF THE SOUTH FLORIDA CULTURAL CONSORTIUM'S FY 2018-2019 VISUAL & MEDIA ARTISTS GRANT PROGRAM, WAIVING RESOLUTION R-130-06, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE GRANT AGREEMENT AND TO EXERCISE ALL PROVISIONS, INCLUDING THE CANCELLATION PROVISIONS, CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve a grant from the South Florida Cultural Consortium's FY 2018-19 general operating funds in the amount of \$25,000 to the Museum of Contemporary Art, Inc. for a regional art exhibition showcasing the work of the recipients of the Consortium's FY 2018-19 Visual & Media Artists Grant.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Department of Cultural Affairs

This item was forwarded to the BCC with a favorable recommendation by the Parks, Recreation and Cultural Affairs Committee at its July 17, 2019 meeting.

ANALYSIS

The purpose of this item is authorize the funding of a \$25,000 grant to the Museum of Contemporary Art, Inc. for the presentation of an exhibition showcasing the work of 13 grantees, all recipients of the South Florida Cultural Consortium's Visual & Media Artists Grant Program. These 13 South Florida artists were chosen from more than 310 applicants by two panels of art experts. The Consortium's Board of Directors selects a major museum located in one of the participating counties, on a rotating basis, to host the exhibition. The recipients will have their work displayed at the Museum of Contemporary Art, located in District 2 at 770 NE 125th Street, North Miami, in September 2019 as part of their reward for being a grant recipient.

The South Florida Cultural Consortium is an alliance of the local arts agencies of Martin, Palm Beach, Broward, Monroe and Miami-Dade counties. The Miami-Dade County Department of Cultural Affairs administers the grant program and serves as fiscal agent for the program's contributed funds from member counties for Consortium programs benefiting the South Florida region, with member counties providing full support to the FY 2018-19 exhibition. Thus, the \$25,000 grant to the Museum of Contemporary Art, Inc. to host the exhibition will present no fiscal impact to the County.

Of the 13 grantees, seven are from Miami-Dade County as Miami-Dade County was the largest contributor of funds to the grant program (see companion Board agenda item 8C2 (File No. 191691). The amount of grantees per County corresponds with each County's contribution to the grant program.

The waiver of Resolution No. R-130-06, requiring that contracts with non-governmental entities be signed by the other parties before being placed on the commission agenda, is being requested for the purpose of expediting the grant agreement. Expediting the contract as requested accommodates the preparation of the exhibition, saving one or two months' time in delivering funding essential to the success of the event.

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Research Notes

Item No. 8C1

File No. 191690

Researcher: JFP Reviewer: TD

The grant agreement underwent evaluation by the South Florida Cultural Consortium, with the Consortium's Board of Directors ultimately approving funding for the exhibition at its March 26, 2019 meeting.

ADDITIONAL INFORMATION

The South Florida Cultural Consortium Fellowship Program offers the largest regional, government-sponsored artists' grants in the United States, awarding \$15,000 and \$7,500 fellowships to resident visual and media artists from the counties of Broward, Martin, Miami-Dade, Monroe, and Palm Beach.

<http://www.miamidadearts.org/south-florida--cultural-consortium-sfcc>

APPLICABLE LEGISLATION/POLICY

Resolution No. R-130-06, adopted January 24, 2006, clarifies that proposed agenda items seeking approval of a contract or conveyance and authority to execute same shall not be placed on any committee or commission agenda unless the underlying contract or conveyance is completely negotiated, in final form, and executed by all non-County parties. The proposed resolution seeks waiver of this provision.

<http://intra/gia/matter.asp?matter=060239&file=false&yearFolder=Y2006>

BCC Meeting: September 4, 2019
Research Notes

Item No. 8C2
File No. 191691

Researcher: MF Reviewer: TD

RESOLUTION APPROVING \$150,000 IN FUNDING SUPPORT FOR THIRTEEN (13) GRANT AWARDS TO SOUTH FLORIDA ARTISTS FROM THE SOUTH FLORIDA CULTURAL CONSORTIUM'S FY 2018-2019 GENERAL OPERATING FUNDS FOR THE VISUAL AND MEDIA ARTISTS GRANT PROGRAM; WAIVING RESOLUTION NO. R-130-06; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GRANT AGREEMENTS AND TO EXERCISE ALL PROVISIONS, INCLUDING THE CANCELLATION PROVISIONS, CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should authorize \$150,000 in funding for 13 grant awards to South Florida artists for the Visual & Media Artists Grant Program. Additionally, the Board is requested to waive Resolution No. R-130-06, requiring contracts with non-governmental entities be signed by other parties before being submitted to the Board.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Department of Cultural Affairs

This item was heard by the Parks, Recreation and Cultural Affairs Committee meeting on July 17, 2019 and was forwarded to the BCC meeting of September 4, 2019 with a favorable recommendation.

ANALYSIS

The purpose of this resolution is to obtain Board approval for \$150,000 in funding for 13 grant awards to South Florida artists from the South Florida Cultural Consortium's FY 2018-19 for the Visual & Media Artists Grant Program. The impact of this item is countywide and regional, encompassing the five-county region: Monroe, Miami-Dade, Broward, Palm Beach, and Martin.

Jointly, the requesting department seeks a waiver pertaining to Resolution R-130-06, which requires contracts with non-governmental entities be signed by the other parties before being submitted to the Board. According to the mayor's memo, the reason for the waiver is to expedite the grant awards to the artists because the funding is time-sensitive and would save approximately one to two months' time in providing funding for the individual artists. The exhibition location is the Museum of Contemporary Art, located at 770 NE 125 St., North Miami, which is in Commission District 2, represented by Commissioner Jean Monestime.

The fiscal impact is \$150,000 for the grant total, of which each county contributes funds for Consortium programs that benefit the South Florida area. For Miami-Dade County, the designated allocation is \$90,000. Below are the allocated grant amounts each county has set aside for the FY 2018-19 Consortium program:

Region	Allocation
Miami-Dade	\$90,000
Broward	\$30,000
Palm Beach	\$15,000
Martin	\$0
Monroe	\$15,000

The mayor's memo did not provide information on the reasons why Martin County did not allocate any funds for the Consortium; notwithstanding, no artists from Martin are being awarded as part of this grant. According to the mayor's

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File No. 191691

Researcher: MF Reviewer: TD

memo, the 13 artists were chosen through a competitive process, of which 310 applications were received from all five member counties. The selected artists were chosen from a panel of regional art experts, which made recommendations in January 2019 and forwarded those to a national panel of out-of-state experts in February 2019.

Below is a list of the recommended artists, the region represented, and the designated granted awards:

Artist	County	Grant Award
Felecia Carlisle	Miami-Dade	\$15,000
Domingo Castillo	Miami-Dade	\$15,000
Regina O'Neal	Miami-Dade	\$15,000
Sebastian Santiago Ruiz	Miami-Dade	\$15,000
Jamilah Sabur	Miami-Dade	\$7,500
Misael Soto	Miami-Dade	\$7,500
Woodgate LLC (lead artist Agustina Woodgate)	Miami-Dade	\$15,000
Jen Clay LLC (lead artist Jennifer Clay)	Broward	\$15,000
Edison E. Penafiel	Broward	\$15,000
Katrina Sarah Miller	Palm Beach	\$7,500
Amber Tutwiler	Palm Beach	\$7,500
Helen Appleby (lead artist Nellie Appleby)	Monroe	\$7,500
Vivien Segel	Monroe	\$7,500

DEPARTMENTAL INPUT

OCA sent the following question to the Cultural Affairs Department on August 19, 2019. The Department responded on August 20, 2019; below are the responses in bold.

- Please indicate the commission districts impacted by the grant awards.
 - **District 3, Felecia Carlisle**
 - **District 11, Domingo Castillo**
 - **District 3, Regina O'Neal**
 - **District 7, Sebastian Santiago Ruiz**
 - **District, Jamilah Sabur**
 - **District 5, Misael Soto**
 - **District 4, Woodgate LLC (lead artist Agustina Woodgate)**

APPLICABLE LEGISLATION/POLICY

Resolution No. R-130-06, adopted January 24, 2006, amended Resolution No. R-1198-05 to clarify that proposed agenda items seeking approval of a contractor or conveyance and authority to execute same shall not be placed on any committee or commission agenda unless the underlying contract or conveyance is completely negotiated, in final form, and executed by all non-county parties.

<http://www.miamidade.gov/govaction/matter.asp?matter=060239&file=false&fileAnalysis=false&yearFolder=Y2006>

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Research Notes

Item No. 8F2 & 8F3
File No. 191720 & 191721

Researcher: JFP Reviewer: TD

RESOLUTION APPROVING, PURSUANT TO SECTION 125.38, FLORIDA STATUTES, TERMS OF AND AUTHORIZING EXECUTION BY THE COUNTY MAYOR, OR MAYOR'S DESIGNEE OF A LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CITY OF MIAMI, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, FOR THE PREMISES LOCATED AT THE ALLAPATTAH COMMUNITY RESOURCE CENTER, 1897 NW 20 STREET, MIAMI, FLORIDA, FOR THE PURPOSE OF OPERATING THE CITY OF MIAMI NEIGHBORHOOD ENHANCEMENT TEAM OFFICE, WITH A TOTAL RENTAL REVENUE TO THE COUNTY ESTIMATED TO BE \$15.00 FOR THE FIVE-YEAR TERM OF THE LEASE AND TWO, FIVE-YEAR RENEWAL OPTION PERIODS; DECLARING SUCH PROPERTY SURPLUS; WAIVING THE REQUIREMENTS OF ADMINISTRATIVE ORDER 8-4 AS THEY RELATE TO REVIEW BY PLANNING ADVISORY BOARD; AUTHORIZING THE COUNTY MAYOR, OR THE COUNTY MAYOR'S DESIGNEE, TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN; AND DIRECTING THE COUNTY MAYOR, OR COUNTY MAYOR'S DESIGNEE, TO PROVIDE AN EXECUTED COPY OF THE LEASE AGREEMENT TO THE PROPERTY APPRAISER'S OFFICE WITHIN 30 DAYS OF ITS EXECUTION [SEE AGENDA ITEM NO. 8F3]

RESOLUTION APPROVING TERMS OF AND AUTHORIZING EXECUTION BY THE COUNTY MAYOR, OR THE COUNTY MAYOR'S DESIGNEE, OF A LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CITY OF MIAMI, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, FOR THE PREMISES LOCATED AT THE MANUEL ARTIME COMMUNITY CENTER, 970 SW FIRST STREET, MIAMI, FLORIDA (OFFICES 303, 304, 307, 400, 401, 402, 403, AND 407), FOR A TERM OF FIVE YEARS, WITH TWO, FIVE-YEAR RENEWAL OPTION PERIODS, TO BE UTILIZED BY THE COMMUNITY ACTION AND HUMAN SERVICES DEPARTMENT, FOR ITS ACCION COMMUNITY RESOURCE CENTER, AT A MONTHLY BASE RENT IN THE AMOUNT OF \$6,379.46, WHICH RENT SHALL BE MODIFIED AND REDUCED BY THE CITY OF MIAMI TO \$1.00 ANNUALLY, CONTINGENT UPON EXECUTION OF A LEASE AGREEMENT WITH THE CITY OF MIAMI, FOR THE COUNTY-OWNED PREMISES LOCATED AT 1897 NW 20 STREET, MIAMI, FLORIDA UNDER CERTAIN TERMS AND CONDITIONS; AND AUTHORIZING THE COUNTY MAYOR, OR THE COUNTY MAYOR'S DESIGNEE, TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN [SEE AGENDA ITEM NO. 8F2]

ISSUE/REQUESTED ACTION

Whether the Board should declare property located at the Allapattah Community Resource Center (Resource Center) as surplus and approve a five-year term lease agreement, with two, five-year options to renew, between the County and the City of Miami (City) for the premises as a condition to renewal of the County's lease of the City's Manuel Artime Community Center (Community Center) at a reduced rate also for a five-year term with two, five-year options to renew.

PROCEDURAL HISTORY

Prime Sponsor: Chairwoman Audrey M. Edmonson, District 3 (Agenda Item 8F2); Commissioner Eileen Higgins, District 5 (Agenda Item 8F3)

Department/Requester: Internal Services Department

This item was forwarded to the BCC with a favorable recommendation by the Housing, Social Services & Economic Development Committee at its July 16, 2019 meeting.

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Research Notes

Item No. 8F2 & 8F3
File No. 191720 & 191721

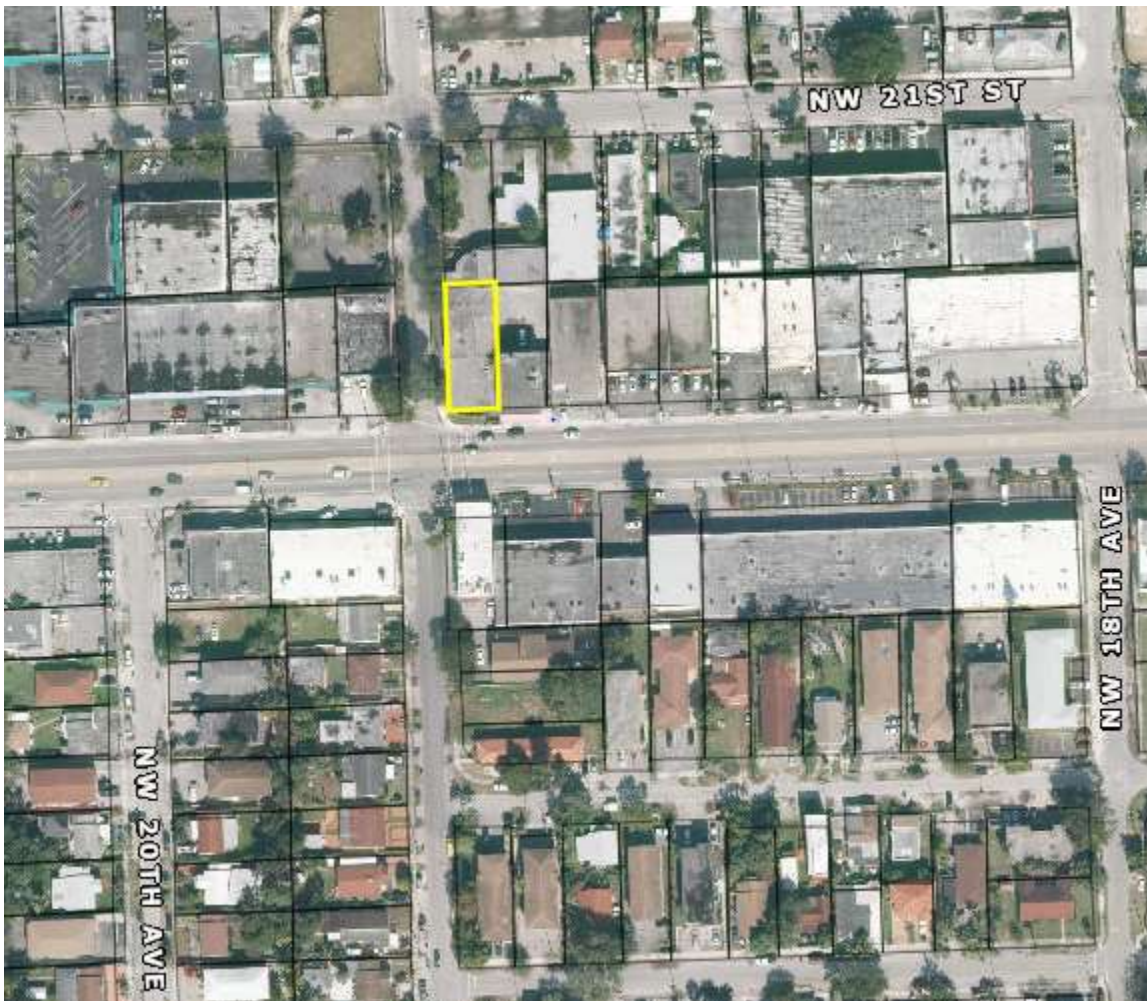
Researcher: JFP Reviewer: TD

ANALYSIS

The purpose of these companion items is to declare surplus and approve the City's lease of County-owned property located in District 3 at the Allapattah Community Resource Center (Resource Center) for the purpose of operating the City of Miami Neighborhood Enhancement Team (NET) Office, approval of which is a condition of the renewal of the County's lease of the City's Manuel Arttime Community Center (Community Center) in District 5 at a reduced rate.

City's Lease of the Allapattah Community Resource Center (Resource Center)

The lease agreement for the Resource Center, located at, 1897 NW 20 Street, Miami, Florida, would allow the residents of Allapattah enhanced access to city, county, state, and federal government services, pursuant to NET's mission. The property consists of approximately 2,882 square feet, together with six assigned parking spaces in the parking lot to the west of the property located at 1908 NW 21 Street, Miami, Florida (see below property image).



The lease term is five years with two, five-year options to renew, providing a total revenue of \$15.00 to the County as the rental rate to be paid by the City is \$1.00 annually. The rental rate has been significantly discounted from market

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Researcher: JFP Reviewer: TD

rate—comparable properties in the area lease for \$16.00 to \$19.00 per square foot on an annual basis—given that the City is providing necessary services intended to promote community interest and welfare, and has agreed to renew the County's lease agreement for space located at the Manuel Artime Community Center at a similarly reduced rate. The County also renovated the Resource Center as a condition of the lease.

County's Lease of the Manuel Artime Community Center (Community Center)

The County's Community Action and Human Services Department (CAHSD) has leased space in the Community Center since 2015. The three year lease expired on September 30, 2018. Since that time, during which the County has been in negotiations with the City, the County has remained in the occupancy of the property on a month-to-month basis under the holdover provision, and the City has agreed to cancel any rental increase for this period. Contingent upon approval of the lease agreement for the Resource Center, the City has agreed to reduce the monthly rent for its lease of the Community Center from \$6,379.46 monthly to an annual fixed rental fee of \$1.00. The fiscal impact to the County for the initial term of this lease would otherwise be \$76,553.52 annually (\$6,379.46 monthly at \$15.91 per square foot). The lease term for the Community Center is five years with two, five-year options to renew.

The property located at the Community Center, located at 970 SW 1 Street, Miami, Florida (Offices 303, 304, 307, 400, 401, 402, 403, and 407) is approximately 4,810 square feet (see property image below).



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Researcher: JFP Reviewer: TD

CAHSD will continue to utilize the Community Center to operate its Accion Community Resource Center, providing comprehensive social services to the community, including citizenship classes, computer training, low income home energy assistance, tax preparation, employment preparation, training, and referral programs.

Both Lease Agreements have been approved by the City of Miami commission.

ADDITIONAL INFORMATION

The City of Miami Neighborhood Enhancement Team (NET)

NET has a network of 11 offices that serve as a primary link to the City of Miami's government. NET helps residents, businesses and property owners access city, county, state and federal government services.

<https://www.miamigov.com/Government/Departments-Organizations/Neighborhood-Enhancement-Team-NET>

Miami-Dade County Community Action and Human Services Department (CAHSD) Community Resource Centers

Miami-Dade County Community Resource Centers offer a variety of social services to economically disadvantaged individuals and families interested in achieving self-sufficiency. Services vary at each of the 13 Community Resource Centers.

https://www8.miamidade.gov/global/service.page?Mduid_service=ser1542309305236810

APPLICABLE LEGISLATION/POLICY

Section 125.38, Florida Statutes governs the sale of county property to United States, or state. The City of Miami is a municipal corporation of the State of Florida.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=125.38&URL=0100-0199/0125/Sections/0125.38.html

Resolution No. R-655-15, adopted July 14, 2015, authorized the County to enter into a lease agreement with the City of Miami for property located at the Manuel Artime Community Center, 970 SW 1 Street, Miami, Florida, for a term of three years.

<http://intra/gia/matter.asp?matter=152002&file=false&yearFolder=Y2015>

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Item No. 8F5
File No. 191628

Researcher: MF Reviewer: TD

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01123 FOR FLIGHT INSTRUMENTS AND AVIONIC SYSTEMS FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM IN AN AMOUNT NOT TO EXCEED \$1,075,000, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDER 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 authorize approval of Contract No. FB-01123 in the amount of \$1,075,000 for the purchase of avionics systems for the Fire Rescue and Police departments for a term of five years.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department (ISD)

This item was heard at the Health Care and County Operations Committee meeting of July 17, 2019 and was forwarded to the BCC meeting of September 4, 2019 with a favorable recommendation.

ANALYSIS

The proposed resolution requests Board approval to award a contract in the amount of \$1,075,000 for a five-year term for the purchase of parts and services for flight instruments and avionics systems in County aircraft for Fire Rescue and Police departments.

The Fiscal Impact is \$1,075,000 for a five-year term. In total the County has 10 aircraft, consisting of eight helicopters and two airplanes owned and operated by the Fire Rescue and the Police departments. According to the mayor's memo, the previous contract, No. 2960-0/18 was awarded for a five-year term with an allocation of \$1,240,000 and expired March 31, 2019. A replacement solicitation was advertised in June 2018 under solicitation No. FB-00834, but no bids were received. The replacement solicitation is lower than the previous contract due to a cost forecast of the expected needs based on past expenditures. The scope of the proposed contract was revised to increase the emergency service response time. The proposed contract amount of \$1,075,000 will be paid through allocations from the Fire Rescue (\$395,750) and Police (\$677,250) departments, respectively.

The FAA regulates the aviation repair industry, thus these services require approval by the FAA and have at least one FAA-certified Airframe and Powerplant mechanic. The new solicitation was issued December 2018 and two bids were received, including one "No Bid" by Rotortech Services, Inc. As such, the award is being recommended to the only responsible bidder, Peninsula Avionics, Inc. (the incumbent vendor) located at 14229 SW 127 Street, (Miami Executive Airport) Miami, FL. The requesting department states a replacement solicitation was initially advertised in June 2018; however, no bids were received and the solicitation was cancelled. Staff then contacted several vendors regarding this issue but staff could not determine what issues (if any) may have prevented vendors from submitting bids. It is not known how many vendors or the names of the vendors that ISD contacted to follow-up on the solicitation for which no bids were received.

OCA performed a review of previous Contract No. 2960-0/18 on July 16, 2019 on the Bid Tracking System (BTS). OCA's research reveals the original contract was awarded in October 2013 to Peninsula Avionics, Inc. with a value of \$1,240,000

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File No. 191628

Researcher: MF Reviewer: TD

for a five-year period through September 2018, and was extended for six months through March 2019. BTS records show the last purchase order under the contract was March 29, 2019 for \$172,499.52 through Fire Rescue. Additionally, records show a bridge contract (No. FB-01123B) was established March 29, 2019 for continuity of services, with an allocation of \$100,000, expiring September 30, 2019, to allow time for a replacement solicitation to undergo the evaluation and award process. The bridge contract was needed in order to secure uninterrupted avionics services for Fire Rescue and Police.

Peninsula Avionics Inc. (the incumbent vendor being recommended for award) has 8 employees (88% of total workforce) who reside in the County. As such, this vendor is compliant with the percentage of employee residents who reside in the County as compared to the vendor's total workforce, pursuant to Resolution No. R-1011-15.

OCA performed due diligence regarding Peninsula Avionics, Inc., on July 29, 2019, and below are the findings:

Sunbiz	Tax Collector	Westlaw
Active; Established 1985	Paid https://miamidade.county-taxes.com/public/business_tax/accounts/1502245	No open cases

OCA performed a search for commodity codes 035 (Aircraft and Airport, Equipment, Parts and Supplies) and 92908 (Airplanes, Helicopters and Accessories Maintenance) on the Business Management Workforce System's Certified Vendor Directory on July 16, 2019. Listed below are the 6 local SBEs identified with at least one of the required commodity codes referenced herein:

- Generating Systems, Inc., Miami, FL SBE-G&S
- Paramount Electric and Lighting, Inc., Miami, FL SBE-G&S
- The Tool Place Corp., Miami, FL SBE-G&S
- The Tools Man, Inc., dba The Tools Man Industry Supply, Miami, FL SBE-G&S
- Totalpack, Inc., Miami, FL SBE-G&S
- Trinity Electric Sales & Services Inc., dba Trinity Lighting Etc., Aventura, FL SBE-G&S

ADDITIONAL INFORMATION

OCA conducted a search of Peninsula Avionics Inc.'s website and found the company is FAA-certified and serves customers in Florida, the Caribbean, Central America, South America, and Europe.

<http://www.peninsulaavionics.com/index.htm>

DEPARTMENTAL INPUT

OCA sent the following questions to ISD on August 13, 2019; The Department submitted responses on August 25, 2019 and are shown below in bold. Exhibits referenced herein are enclosed as attachments A through D.

- Please indicate why an initial extension of 6 months and a subsequent bridge contract were necessary instead of ISD commencing for re-procurement no later than 18 months prior to the expiration of the contract, pursuant to Resolution No. R-718-17. **As SPD worked on the replacement for 2960-0/18 for helicopter parts and repair services, staff also worked on the new solicitation for the purchase of Miami-Dade Fire and Rescue's (MDFR) new helicopters, CBW9827-3/21, which is currently undergoing evaluation and is currently pending an award. In the new solicitation, FB-01123's, exclusion of MDRF's allocation would have kept the estimated allocation requested under \$1 million, as MDRF only has 37% allocation on the current solicitation, 2960-0/18. Therefore, there would not have been a need to go before the Board. However, since**

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it has not been established, SPD staff determined leaving MDFR's allocation on FB-01123 would avoid having services disrupted while CBW9827-3/21 is established. SPD staff began working on the replacement December 2017, one year prior to expiration. On June 28, 2018, Solicitation No. FB-00834 was advertised for the replacement of 2960-0/18, with bids opening July 19, 2018, however, no responses were received. SPD staff began working on preparations for a new solicitation right away upon this finding. Therefore, until a replacement could be approved by the Board, an extension and bridge were necessary.

- Indicate the type of follow-up ISD pursued after the department received no responses from the June 2018 solicitation advertisement.
 - Originally, when bid Number FB-00834 was released, SPD reached out to the four vendors, listed below, who downloaded the solicitation (One Bid Survey, see attached).
 - Delia Coolridge, Inc.
 - GreMark Consultancy, Inc.
 - North America Procurement Council
 - Rotortech Services, Inc.
 - Eight vendors listed in the Market Research were contacted. These vendors conveyed they were able to provide parts and repair services for flight instruments and avionics systems, but did not submit any bids. See below:
 - JJA Aviation, Inc.
 - AVCOM Avionics & Instruments
 - AMETEK, Inc.
 - Aviation Instrument Services, Inc.
 - Aircraft Radio and Avionics, LLC
 - Avionics Group, Inc.
 - Banyan Air
 - Peninsula Avionics, Inc.
 - An email, copying the Clerk of the Board, was sent to the aforementioned vendors with the Bidsync.com link upon the advertising of the solicitation. However, only Rotortech Services, Inc. responded that they could not meet the two hour emergency service response time since they are located in West Palm Beach and due to Miami's traffic, they could not meet that deadline.
 - In addition, Peninsula Avionics, the incumbent vendor, had an issue with Bidsync's registration and did not receive a notification when the solicitation was advertised.
- Indicate the names of the SBE firms that were notified of this most recent solicitation.

List of Suppliers:

- See the attachments (Exhibit A) for a complete list of the suppliers added, the suppliers that were notified, and the suppliers that downloaded this solicitation, FB-01123.
Of the 30 suppliers that were notified, 10 suppliers downloaded the solicitation, listed below:
 - Able Aerospace Services
 - Aviation Parts and Trad Corp.
 - Avionics Sales Corp.
 - CoCoMoConstruction
 - Kimball Electronic Laboratory
 - North America Procurement Council

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File No. 191628**

Researcher: MF Reviewer: TD

- Peninsula Avionics
- Rotortech Services
- T&R Waste
- The Tool Place Corp.
- Of the 30 suppliers that were notified, only three were found to be SBE firms, as a result of cross-referencing to our SBE system to determine their status:
 - Gurri Matute, PA (SBE for Construction) – (Exhibit B)
 - Radise International (SBE for A & E) – (Exhibit C)
 - The Tool Place Corp. (SBE for G & S) – (Exhibit D)

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 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.

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

Resolution No. R-682-13, adopted September 4, 2013, authorizing award of competitive contracts in a total amount up to \$7,225,000, authorizing modification of competitive contracts for purchase of goods and services in a total amount up to \$221,000 in additional spending authority, authorizing rejection of bids received, and authorizing the use of Charter County Transportation Surtax for such contract.

<http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2013/131342min.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-1011-15, adopted November 3, 2015, requires vendors to provide addresses of local branch offices and headquarters and the number and percentage of local residents such vendors employ.

<http://www.miamidade.gov/govaction/matter.asp?matter=152271&file=true&fileAnalysis=false&yearFolder=Y2015>

BCC Meeting: September 4, 2019
Research Notes

Item No. 8F5

File No. 191628

Researcher: MF Reviewer: TD

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>

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>

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Supplier Change Report**Bid# FB-01123 - Parts And Services For Flight Instruments And Avionic Systems**

Supplier	City	State	Status
Created on Nov 9, 2018 4:56:46 PM EST by Lourdes Betancourt (l1121@miamidade.gov)			
Peninsula Avionics	Miami	FL	ADDED
ROTORTECH SERVICES, INC	WEST PALM BEACH	FL	ADDED
Rotortech Services Inc	West Palm Beach	FL	ADDED
Rotortech Services Inc.	West Palm Beach	FL	ADDED
Addendum on Nov 14, 2018 9:41:07 AM EST by Lourdes Betancourt (l1121@miamidade.gov)			
AMETEK INC	DAVIE	FL	ADDED
AVIATION INSTRUMENT SERVICES, INC	MIAMI	FL	ADDED
Avcom Avionics & Instruments	Miami	FL	ADDED
BANYAN AIR SERVICE	FORT LAUDERDALE	FL	ADDED
BANYAN AIR SERVICES INC	FT LAUDERDALE	FL	ADDED
BANYAN AIR SERVICES INC	FT LAUDERDALE	FL	ADDED
Banyan Air Service	Ft. Lauderdale	FL	ADDED
Banyan Air Service	Fort Lauderdale	FL	ADDED
Banyan Air Service Inc	Ft. Lauderdale	FL	ADDED
GA Telesis, LLC	Fort Lauderdale	FL	ADDED
Addendum on Dec 10, 2018 1:46:30 PM EST by Lourdes Betancourt (l1121@miamidade.gov)			
ALCA AVIONICS, INC	OPA LOCKA	FL	ADDED
AVIONICS SALES CORPORATIO	FT LAUDERDALE	FL	ADDED
AVIONICS SALES CORPORATION	FT LAUDERDALE	FL	ADDED
Avionics & Aircraft Systems, Inc	Miami	FL	ADDED
Avionics Enterprise	POMPANO BEACH	FL	ADDED
Avionics International	Miami	FL	ADDED
Avionics Sales Corp	Opa Locka	FL	ADDED
Avionics Support Group Inc	Miami	FL	ADDED
Avionics Support Group, Inc.	Miami	FL	ADDED
BECKER AVIONICS, INC	MIAMI	FL	ADDED
Becker Avionics, Inc	Miramar	FL	ADDED
EXECUTIVE AVIONICS INC	FORT LAUDERDALE	FL	ADDED
EXECUTIVE AVIONICS INC	FORT LAUDERDALE	FL	ADDED
GULF COAST AVIONICS CORP	LAKELAND	FL	ADDED
Gulf Coast Avionics Corp.	Lakeland	FL	ADDED
HIGH TECH AVIONICS & ACCESSORIES	Miramar	FL	ADDED
LYNCH AVIONICS	FT LAUDERDALE	FL	ADDED
MANATEE AVIONICS, INC	SARASOTA	FL	ADDED
STRONG ARM AVIONICS	CLEARWATER	FL	ADDED

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Certifications

Airport Concessionaire Disadvantaged Business Enterprise (ACDBE)
Disadvantaged Business Enterprise (DBE)
Local Developing Business (LDB)
Small Business Enterprise - Architectural & Engineering (SBE-A&E)
Small Business Enterprise - Construction (SBE-Con)
Small Business Enterprise - Goods & Services (SBE-G&S)

Business Name/DBA

GURRI

Download Search Results

Search Results

2 firms with 6 certifications found

Click the certification type for contact information and certification details

Vendor

Location

Certification

GURRI MATUTE CONSTRUCTION COMPANY

Miami, FL

[SBE-Con](#)

Gurri Matute, PA

MIAMI, FL

[ACDBE](#)

[DBE](#)

[LDB](#)

[SBE-A&E](#)

[SBE-G&S](#)

EXHIBIT C

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Certifications

Airport Concessionaire Disadvantaged Business Enterprise (ACDBE)**Disadvantaged Business Enterprise (DBE)****Local Developing Business (LDB)****Small Business Enterprise - Architectural & Engineering (SBE-A&E)****Small Business Enterprise - Construction (SBE-Con)****Small Business Enterprise - Goods & Services (SBE-G&S)**

Business Name/DBA

RADISE

Download Search Results

Search Results

3 firms with 9 certifications found

Click the certification type for contact information and certification details

Vendor

Location

Certification

PARADISE AWNINGS CORPORATION

Miami, FL

[DBE](#)
[SBE-Con](#)

PARADISE CONSTRUCTION CORP.

MIAMI, FL

[ACDBE](#)
[DBE](#)
[LDB](#)
[SBE-Con](#)
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RADISE INTERNATIONAL, L.C.

Doral, FL

[LDB](#)
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Certifications

Airport Concessionaire Disadvantaged Business Enterprise (ACDBE)
Disadvantaged Business Enterprise (DBE)
Local Developing Business (LDB)
Small Business Enterprise - Architectural & Engineering (SBE-A&E)
Small Business Enterprise - Construction (SBE-Con)
Small Business Enterprise - Goods & Services (SBE-G&S)

Business Name/DBA

THE TOOL PLACE

Download Search Results

Search Results

1 firm with 1 certification found

Click the certification type for contact information and certification details

Vendor

Location

Certification

THE TOOL PLACE CORP.

Miami, FL

[SBE-G&S](#)

BCC Meeting: September 4, 2019
Research Notes

Item No. 8F6
File No. 191643

Researcher: JFP Reviewer: TD

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$170,200.00 FOR PREQUALIFICATION POOL NO. RTQ-00593 FOR PURCHASE OF STORAGE CONTAINERS FOR THE DEPARTMENT OF SOLID WASTE

ISSUE/REQUESTED ACTION

Whether the Board should authorize additional expenditure authority in the amount of up to \$170,200 for *Prequalification Pool No. RTQ-00593, Storage Containers* for the Department of Solid Waste.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

This item was forwarded to the BCC with a favorable recommendation by the Health Care and County Operations Committee at its July 17, 2019 meeting.

ANALYSIS

The purpose of this item is to authorize additional expenditure authority for the Department of Solid Waste (DSWM)'s purchase of storage containers through an existing prequalification pool. The \$170,200 in additional expenditure authority will be used to purchase 64 storage containers, which are utilized to store DSWM's waste and recycling carts, at an estimated price of \$3,500 each. The new storage containers would replace those which have reached the end of their useful life, as they were purchased almost 15 years ago. Use beyond their useful life has resulted in leakage in some storage containers.

The Board approved establishment of the pool in a total amount up to \$1,260,000 for a term of five years with one, five-year option to renew term on March 6, 2018. The initial five-year term was valued at \$630,000 upon establishment. The pool was slated to be utilized by various County departments, of which DSWM was not originally included. The contract was subsequently modified on December 5, 2018 in the amount of \$72,200 to accommodate the addition of the Internal Services Department, and then on April 29, 2019 in the amount of \$53,800 to accommodate the addition of DSWM. Therefore, the current value of the initial five-year term is now \$756,000, which would increase to \$926,200 upon approval of this item. The modified cumulative allocation, which includes the allocation for the five-year option to renew term, would be \$1,556,200.

Given that DSWM was added among the users of the pool in April 2019 with an allocation of \$53,800, it is unclear why this additional need was not forecasted at that time. According to the contract's Blanket Purchase Order, of the current term's allocation amount of \$756,000, \$225,529.72 has been released as of August 24, 2019, leaving a balance of \$530,470.28. DSWM has exhausted its allocation. The current pool term expires on June 30, 2023.

There are three prequalified vendors in the pool. Two have local addresses.

Vendor	Principal Address	Local Address	Sunbiz Status	Westlaw
Blue Line Equipment Sales, Corp.	4950 NW 72 Avenue, Miami, FL	Same	Active	No relevant cases

BCC Meeting: September 4, 2019
Research Notes

Item No. 8F6
File No. 191643

Researcher: JFP Reviewer: TD

Mobile Mini, Inc.	4646 East Van Buren Street, Suite 400, Phoenix, AZ	None	Active	No relevant cases
Tropical Trailer Leasing, LLC	9475 NW 89 Avenue, Miami, FL	Same	Active	No relevant cases

Pursuant to Resolution No. R-718-17, the County is required to commence planning for re-procurement of contracts and prequalified vendor lists that are set to expire no later than 18 months prior to expiration. Given the current pool's expiration date of June 30, 2023, the County will be required to commence planning for re-procurement no later than December 30, 2021.

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.

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dade county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Resolution No. R-208-18, adopted March 6, 2018, authorized establishment of prequalification pool RTQ-00593 in a total amount up to \$1,260,000.00 for the purchase of storage containers for various county departments for an initial term of five years and one, five-year option to renew term.

<http://intra/gia/matter.asp?matter=180189&file=true&yearFolder=Y2018>

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>

Resolution No. R-391-17, adopted April 4, 2017, directs the Mayor to conduct competitive selections whenever feasible instead of expanding the term or services under existing contracts, to include in any recommendation to the Board for the expansion of term or services under existing contracts a written justification of why a competitive process is not feasible, to include to the maximum extent possible in any proposed expansion of term or services any requirements of Ordinance or Resolutions adopted by the Board subsequent to the initial contract and to report to the Board in the recommendation which requirements were adopted and rejected.

<http://intra/gia/matter.asp?matter=170534&file=true&yearFolder=Y2017>

Resolution No. R-718-17, adopted July 6, 2017, directs the Administration to commence planning for re-procurement no later than 18 months prior to the expiration of contracts and prequalification pools for purchases of goods and services.

<http://intra/gia/matter.asp?matter=171632&file=true&yearFolder=Y2017>

BCC Meeting: September 4, 2019
Research Notes

Item No. 8F6
File No. 191643

Researcher: JFP Reviewer: TD

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>

BCC Meeting: September 4, 2019
Research Notes

Item No. 8F7
File No. 191645

Researcher: JFP Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00935 IN A TOTAL AMOUNT UP TO \$9,762,252.00 FOR THE PURCHASE OF WELDING REPAIRS AND RELATED SERVICES FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

ISSUE/REQUESTED ACTION

Whether the Board should authorize the establishment of *Prequalification Pool RTQ-00935, Welding Repairs and Related Services* for multiple County departments in an amount not to exceed \$9,762,252 for a term of five years.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

The item was forwarded to the BCC with a favorable recommendation by the Health Care and County Operations Committee at its July 17, 2019 meeting.

ANALYSIS

The purpose of this item is to establish *Prequalification Pool RTQ-00935* to provide welding repairs for buses, trucks, trailers, and other vehicles, as well as machine shop and metal fabrication services for County-owned facility enclosures, equipment, and gates. The total allocation for the five-year period is \$9,762,252. The largest users of the pool will be the Water and Sewer Department with an allocation of \$5,212,252, and the Internal Services Department with an allocation of \$2,650,000.

The current pool, 8915-5/19-5 has a cumulative allocation of \$24,749,800 for a five-year term with five one-year options to renew, and expires on September 30, 2019 (based on the Bid Tracking System—note that the Mayoral Memorandum states an expiration date of November 30, 2019). The lesser allocation for the replacement pool is based on a lower estimated usage by the departments. As of August 24, 2019, the current term's Blanket Purchase Order reports a released amount of \$1,859,371.78 of the OTR's \$2,275,700 allocation amount, leaving a balance of \$416,328.22.

Pursuant to Resolution No. R-718-17, the County is required to commence planning for re-procurement of contracts and prequalified vendor lists that are set to expire no later than 18 months prior to expiration, inclusive of option to renew periods. Based on the expiration date of September 30, 2019 listed on BTS, planning for re-procurement should have commenced on March 30, 2018.

A full review of the scope of services was conducted pursuant to Resolution No. R-140-15, resulting in a revised scope of services to include redefined groups to better suit the County's requirements. The replacement pool includes three groups:

Group 1: Vehicle and Vehicle Component Fabrication

Group 2: Expedited Repair Services

BCC Meeting: September 4, 2019
Research Notes

Item No. 8F7

File No. 191645

Researcher: JFP Reviewer: TD

Group 3: Machine Shop and Metal Fabrication

A Request to Qualify was issued and advertised, with notification to 39 vendors (including the incumbent vendors), and four vendors responding. Of the four respondents, three are being recommended for inclusion in the pool (noted below), all of which are local and incumbent vendors. One is a certified Small Business Enterprise firm.

Vendor	Group(s)	Local Address	Sunbiz Status	Westlaw
ALM Machine, Inc. (SBE)	1, 2, and 3	4585 NW 37 Avenue, Miami, FL	Active	No relevant cases
Condo Electric Motor Repair Corp.	1, 2, and 3	3615 East 10 Court, Hialeah, FL	Active	No relevant cases
General Welding Service Enterprise, Inc.	1, 2, and 3	8115 NW 56 Street, Miami, FL	Active	No relevant cases

The fourth respondent, R. Fernandez Solutions Corp., would be a new, local vendor, but was not recommended for inclusion in the pool because it did not provide documentation to satisfy the prequalification criteria. The vendor may be added to the pool upon submission and verification of the required documentation. The pool will remain open and outreach will continue as vendors may be added at any time.

As of August 24, 2019, a Business Management Workforce System search for the solicitation's commodity code, 92948 - Machine Shop And Fabricating Services, Industrial, yielded ALM Machine, Inc. as the only local Small Business Enterprise firm.

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

Resolution No. R-636-09, adopted June 2, 2009, established the current pool 8915-5/19, for a five-year term with five one-year option to renew terms with a cumulative value of \$21,118,000.

<http://intra/gia/matter.asp?matter=091793&file=false&yearFolder=Y2009>

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>

BCC Meeting: September 4, 2019
Research Notes

Item No. 8F7
File No. 191645

Researcher: JFP Reviewer: TD

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-718-17, adopted July 6, 2017, directs the Administration to commence planning for re-procurement no later than 18 months prior to the expiration of contracts and prequalification pools for purchases of goods and services.

<http://intra/gia/matter.asp?matter=171632&file=true&yearFolder=Y2017>

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>

BCC Meeting: September 4, 2019
Research Notes

Item No. 8F8
File No. 191696

Researcher: MF Reviewer: TD

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$2,100,000 FOR PREQUALIFICATION POOL NO. RTQ-00073 FOR PURCHASE OF ROOM AIR CONDITIONERS FOR THE MIAMI-DADE PUBLIC HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT

ISSUE/REQUESTED ACTION

Whether the Board should authorize the additional expenditure of Prequalification Pool No. RTQ-00073, for the purchase of room air conditioners, in the amount of \$2,100,000 to fund, repair, replace and install air conditioners in public housing units throughout the County.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department (ISD)

This item was heard at the Housing, Social Services and Economic Development committee meeting of July 16, 2019 and was forwarded to the BCC meeting of September 4, 2019 with a favorable recommendation.

ANALYSIS

The purpose of this resolution is to obtain Board approval for the additional expenditure of a prequalification pool in the amount of \$2,100,000 to purchase room air conditioners for public housing units that serve residents including the elderly in the County. The County oversees more than 8,000 public housing units; the proposed repair and installation of A/C units will benefit all residents in public housing. Due to extreme heat conditions, the A/C units are necessary to prevent any health-related issues that may impact residents.

The existing pool was approved for \$840,000, has a current value of \$2,317,000 and expires September 30, 2022; if the requested expenditure of \$2,100,000 is approved, the modified allocation would increase to \$4,417,000. Per the mayor's memo, the additional expenditure is based on the estimated usage through the contract's termination. Pursuant to Resolution R-502-17, the Board approved a prequalification pool extension for five years and an additional expenditure of \$1,122,000 on May 2, 2017 to the allocated amount of \$1,000,000 at that time, bringing the total modified allocation to \$2,122,000.

The fiscal impact for the proposed additional expenditure is \$2,100,000 and will be funded through Public Housing and Community Development through federal funds. According to the mayor's memo, the reason for the current request is because the allocated funds have depleted; notwithstanding, the blanket purchase order on BTS shows an allocation of \$2,317,000; of that amount, \$2,027,852.52 has been released, leaving a balance of \$289,147.48 (as of August 1, 2019). The mayor's memo does not provide information on the itemized purchases slated for the remaining balance.

Of the eight (8) prequalified vendors for this pool, four are local companies. OCA performed a search for the relevant commodity codes 03102 (Air Conditioning Unit Portable); 03105 (Air Conditioners-Cooling and Cooling/HE); and 03110 (Air Purifiers, Accessories and Supplies) on the Business Management Workforce System's Certified Vendor Directory on July 10, 2019. Listed below are the local SBEs identified that may perform at least some of the work identified:

- Conwell & Associates Consulting Company, Miami, FL SBE-G&S
- Done Wright AC and Electric Service Inc., Miami, FL SBE-G&S
- Electropower Utility Sales Company, Miami, FL SBE-G&S

BCC Meeting: September 4, 2019
Research Notes

Item No. 8F8
File No. 191696

Researcher: MF Reviewer: TD

- MAM A/C and Refrigeration Company, Miami, FL SBE-G&S

OCA conducted due diligence of the eight prequalified vendors on July 29, 2019 and below are the findings:

Firm	Location	Sunbiz.org	Tax Collector	Westlaw
American Portable Air Conditioning, Inc.	Miami Gardens, FL	Active; Established 2002	\$90 due https://miamidade.county-taxes.com/public/business_tax/accounts/5758223	No open cases
CB Sales International, Inc.	Miami, FL	Active; Established 2009	Paid https://miamidade.county-taxes.com/public/business_tax/accounts/7242643	No open cases
Century/AAA, LTD dba AAA Supply	Hialeah, FL	Active; Established 1999	Paid https://miamidade.county-taxes.com/public/tangible/parcels/40-162225/bills/1636122	No open cases
Friedrich Air Conditioning Co., LTD	San Antonio, TX	Active; Established 2015	N/A	No open cases
HD Supply Facilities Maintenance, LTD	Atlanta, GA	Active; Established 2004	\$45 due https://miamidade.county-taxes.com/public/business_tax/accounts/7246857	No open cases
The Ware Group dba Johnstone Supply	Jacksonville, FL	Active; Established 1982	\$75 due https://miamidade.county-taxes.com/public/business_tax/accounts/7158119	No open cases
Transworld Services, Inc.	Miami, FL	Active; Established 1977	Paid https://miamidade.county-taxes.com/public/business_tax/accounts/677550	No open cases
W.W. Grainger, Inc.	Lake Forest, IL	Active; Established 1987	Paid https://miamidade.county-taxes.com/public/business_tax/accounts/2008217	No open relevant cases

DEPARTMENTAL INPUT:

The following questions were posed to ISD on August 5, 2019 and the Department responded on August 15, 2019; the response is shown below in bold.

- BTS shows a blank purchase order for an allocation of \$2,317,000, of which there is a remaining balance of \$286,820.07 (as of August 5, 2019). Provide information and/or an itemization of how the remaining money will be spent.
- The mayor's memo indicates the current allocated funds are depleted. Yet, BTS shows a remaining balance as cited above. Kindly explain. **In regards to your inquiry above, the balance shown in BTS is for other departments on the contract. At this time, these departments are not requesting additional expenditure authority for this pool. Public Housing and Community Development is the only client requesting additional expenditure authority.**

BCC Meeting: September 4, 2019
Research Notes

Item No. 8F8
File No. 191696

Researcher: MF 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](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Resolution No. R-502-17, adopted May 2, 2017, authorized additional time of five years and expenditure authority in a total amount up to \$1,122,000 for prequalification pool No. RTQ-00073 for purchase and installation of room air conditioners for various county departments and authorizing the county mayor or county mayor's designee to solicit pricing, award contracts, exercise all provisions of the solicitation documents and any resulting contracts.

<http://intra/gia/matter.asp?matter=170786&file=true&yearFolder=Y2017>

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/matter.asp?matter=120287&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>

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>

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Research Notes

Item No. 8F9
File No. 191699

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01256 GROUPS 1 AND 2 FOR THE PURCHASE OF FIRE ALARM SERVICES AND FIRE DETECTION PRODUCTS, AND ESTABLISHING AN OPEN PREQUALIFICATION POOL FOR GROUP NO. 4 OF CONTRACT NO. FB-01256 FOR THE PURCHASE OF FIRE DETECTION PRODUCTS AND RELATED SERVICES FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM IN AN AMOUNT NOT TO EXCEED \$3,649,346.00; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF AWARD FOR GROUPS 1 AND 2, 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 COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING FOR GROUP NO. 4, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

ISSUE/REQUESTED ACTION

Whether the Board should approve a contract award for the provision of fire alarm services and fire detection products for various County departments in an amount of up to \$3,649,346 for a term of five years.

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Internal Services

This item was considered at the July 17, 2019 meeting of the Health Care and County Operations Committee wherein it was forwarded to the Board with a favorable recommendation.

ANALYSIS

The purpose of this item is to establish a single long-term comprehensive replacement contract for fire alarm services and fire detection products for multiple County departments. Fire alarm systems are used by the County for the protection of life and property. The awarded vendors shall provide inspection, testing, monitoring, repair and maintenance services to County fire alarm systems across numerous sites. Monitoring services are priced per location for a monthly charge while certifying, testing and tagging services have a fixed price per occurrence for each site. The fire detection products under the scope of work include, but are not limited to, smoke, heat and carbon monoxide alarms/sensors, wall, low current and flush sounders, relays and various types of bases.

The five year replacement term is valued at \$3,649,346. This award consolidates two existing contracts covering a similar scope: (1) *Contract No. 6694-0/18, Services to Fire Alarm Systems*, valued at \$4,718,468 for a term of five years and six months, expiring on September 30, 2019; and (2) *Contract No. FB-00929, Hearing Impaired Smoke Alarms*, valued at \$81,450 for a term of one year and four months, expiring on October 31, 2019.

The solicitation for this contract includes four groups: (1) Fire Alarm System Services; (2) Fire Alarm System Services – Federally Funded; (3) Fike Fire Alarm System Services; and (4) Prequalification Pool for Fire Detection Products and Related Items. Groups 1 and 2 were awarded based on the lowest-priced responsive, responsible bidder by sub-

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Researcher: PGE Reviewer: TD

group in the aggregate. Group 3 was awarded to the lowest-priced responsive, responsible bidder in the aggregate. For Groups 1, 2 and 3, the bidder is required to be certified by the State of Florida as an Alarm Systems Contractor or be a Registered Alarm Systems Contractor with Miami-Dade County. Alternatively, the bidder shall be certified by the State of Florida as an Electrical Contractor or be a Registered Electrical Contractor with Miami-Dade County. For Groups 1, 2 and 3, the bidder's employees shall hold a Fire Alarm System Agent Certification. In addition to the above requirements, Group 3 bidders shall be listed as an authorized Fike Fire Protection distributor on the manufacturer's website. Note that this award excludes Group 3 services as no bids were received for the group. As such, Group 3 will be re-solicited.

The solicitation was advertised on May 3, 2019. Six vendors responded, of which one was a "No Bid." Note that the bids submitted by AIG Fire and Security Solutions, LLC and Silmar Electronics, Inc. for Groups 1, 2 and 3 were deemed nonresponsive by the County Attorney's Office for failure to proffer a price on all items as required by the solicitation. The responsiveness opinion is absent from the agenda item. There are four vendors being recommended for award, all of which are local businesses with an active status on the website of the State of Florida Division of Corporations (Sunbiz.org) as of August 19, 2019. Two of the recommended awardees – Florida Fire Alarm, Inc. and Metro Dade Security System, Inc. – are incumbents under *Contract No. 6694-0/18, Services to Fire Alarm Systems*.

The Commodity Codes found on the Small Business Development Project Worksheet for this solicitation are 34015 (Fire and Medical Alert Systems), 34020 (Fire Detecting Equipment), and 99042 (Fire Alarm and Safety Services, Including Equipment Installation). A search for these codes on the Business Management Workforce System on August 19, 2019 found 22 certified local firms.

DEPARTMENTAL INPUT

OCA requested the following information from the Internal Services Department on August 19, 2019. As of today's publication date, the information has not been provided.

- Provide the status of the re-solicitation for Group 3 services; also, identify the vendor(s) currently servicing Fike Fire Protection systems, including the associated sites;
- Explain why certain sites covered under the contract do not require monitoring services; and
- How often are the fire alarm systems inspected and how many incidents of false alarm occurred under the current contracts, including the associated false alarm site.

APPLICABLE LEGISLATION/POLICY

Florida Statutes Chapter 489 governs electrical and alarm system contracting.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0489/0489PartIIContentsIndex.html&StatuteYear=2018&Title=%2D%3E2018%2D%3EChapter%20489%2D%3EPart%20II

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.

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[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 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 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 on February 3, 2015, directs the County Mayor to conduct a full review prior to re-procurement of replacement contracts for goods or 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>

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; 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.

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

BCC Meeting: September 4, 2019
Research Notes

Item No. 8F10
File No. 191714

Researcher: PGE Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-01264 IN A TOTAL AMOUNT UP TO \$23,300,000.00 FOR THE PURCHASE OF MANUFACTURER'S CERTIFIED DEALER OEM PARTS AND REPAIR SERVICES FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

ISSUE/REQUESTED ACTION

Whether the Board should approve award of a prequalification pool for the purchase of manufacturer's certified dealer OEM parts and repair services for multiple County departments in an amount of up to \$23,300,000 for a five-year term.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

The item was considered at the July 17, 2019 Health Care and County Operations Committee wherein it was forwarded to the Board with a favorable recommendation. Prior to being forwarded, the following discussion transpired:

- Commissioner Diaz highlighted the recent volume of prequalification pool awards before the County Commission;
- Commissioner Heyman requested information be included in the Mayor's Recommendation explaining the method of award;
- Commissioner Suarez questioned whether the item constituted an emergency preventing the Committee from deferring it to afford the Committee more time to better understand the item;
- Deputy Mayor Marquez explained that the Administration elects to procure via a prequalification pool as pools are open, enabling the addition of more vendors during the pool's term. This fosters a competitive process, because as a purchase is needed, the County receives the best price since prequalified vendors compete for the award. Mr. Marquez requested time for the Administration to develop a White Paper on the pros and cons of prequalification pools and brief the Commissioners, individually, on the paper's findings; and
- Internal Services Department (ISD) Chief Procurement Officer responded to the Committee that of the 850 to 900 procurement awards overseen by ISD, an estimated 150 to 200 are pools. She then explained that although this replacement pool award is not an emergency procurement, the Administration would prefer that it not be deferred so as to ensure that it is approved prior to the expiration of the current pool, September 30, 2019.

ANALYSIS

The purpose of this item is to establish a replacement prequalification pool for various County departments to access and purchase manufacturers' certified dealer OEM parts, repair and installation services for passenger cars, station wagons, vans and other vehicles as needed. The replacement pool term is for five years with a value of up to \$23,300,000. ISD is the single biggest user, requesting \$19,000,000 for the pool term. This is because ISD's Fleet Management Division maintains over 6,000 light vehicles for other County departments.

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The pool includes two groups: (1) OEM/OE Parts for County Vehicles; to qualify for Group 1, the vendor shall be an authorized new car or new motorcycle dealer for the manufacturer's brand; and (2) Repair, Installation and/or Maintenance Services for County Vehicles; to qualify for Group 2, the vendor shall be an authorized new car or new motorcycle dealer for the manufacturer's brand and have a service facility in Miami-Dade and/or Broward County. Some of the brands falling under the pool's scope are GMC, Ford, Lexus, Honda, BMW Motorcycles and Nissan. Heavy vehicles are excluded from the pool's scope of services.

Per information found in the Bid Tracking System (BTS) on August 15, 2019, the pool has a cumulative value of \$53,061,625 for a term of 11 years and six months, expiring on September 30, 2019. The mayoral memorandum shows a cumulative value of \$50,749,000. The current option to renew term – #5387-5/13-5 – is valued at \$30,064,125 for a term of six years and six months. The current option term's original expiration date was March 31, 2019, which was administratively extended by six months to September 30, 2019. On August 15, 2019, BTS shows the current option term's Blanket Purchase Order having an allocation amount of \$30,064,125, of which \$25,897,898 has been released, leaving a balance of \$4,166,227.

Resolution No. R-718-17, adopted on July 6, 2017, requires the Administration to commence the planning for re-procurement and re-advertisement of contracts and prequalification pools for the purchase of goods and services that are subject to Board approval no later than 18 months before the expiration of such contracts and pools, inclusive of option to renew periods. Here, the current option term's original expiration date was March 31, 2019. Had the term not been administratively extended to September 30, 2019, per the resolution, re-procurement planning should have commenced in September 2017 based on the term's original expiration date.

The requested allocation of \$23,300,000 for the replacement five-year pool term is based on previous expenditures and an anticipated inflation rate, which may result in labor rate and parts cost increases. The annual allocation under the replacement pool (\$4,660,000) is higher than the annual allocation under the current pool (\$4,412,957).

The solicitation was advertised on April 24, 2019. Eight vendors responded, of which two were "No Bids." Three vendors are being recommended for inclusion in the pool – Gus Machado Ford, Inc., Miami Lakes AM, LLC, and Palmetto Ford Truck Sales, Inc. These vendors are local. The mayoral memorandum neither indicates the manufacturer brands cover by the prequalified vendors nor the prequalified vendors' specific group award.

The current pool has over 20 prequalified vendors. The recommended vendors for the replacement pool are incumbent vendors under the current pool. Note that the recommended vendors are all active, Florida for-profit corporations per Sunbiz.org, the official State of Florida Division of Corporations website.

The Commodity Code for this solicitation is 060 (Automotive and Trailer Equipment and Parts) per the Small Business Development Division Project Worksheet. A search for this code on the Business Management Workforce System on August 15, 2019 yielded 10 local certified small business vendors.

DEPARTMENTAL INPUT

The following information was provided by the Internal Services Department in response to OCA's inquiry. The information provided has been bolded.

- On August 15, 2019, BTS shows the current option term's Blanket Purchase Order having an allocation amount of \$30,064,125, of which \$25,897,898 has been released, leaving a balance of \$4,166,227; how will the balance be used prior to the pool's September 30, 2019 expiration date;

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It is the intent of the County to utilize the funds to purchase repair services and OEM parts, as needed through the end of the contract, to continue providing critical services related to public safety and other critical support departments. This amount represents an approved expenditure authority by the Board and all purchases are made within the approved budget.

- Provide the specific group award for the vendors recommended for the replacement pool as well as the manufacturer brands covered by those vendors;

Vendors recommended to be included in the pre-qualification pool and respective manufacturer brands covered by those local vendors:

Vendor	Manufacturer Brand
Gus Machado Ford of Hialeah	Ford, Lincoln
Palmetto Ford	Ford, Lincoln
Ford of Kendall	Ford
Miami Lakes Auto Mall	Chevrolet, GMC, Cadillac, Buick, Chrysler, Jeep, RAM and Dodge

As result of an outreach conducted by the Internal Services Department, Strategic Procurement Division, four additional vendors have already submitted their documentation and will be added to the pre-qualification pool once it has been established. These vendors and respective manufacturer brands are as follows:

Vendor	Manufacturer Brand
Kendall Lake Automotive LLC.	Dodge, Ram
Atlantic Coast Automotive Inc	Dodge, Ram
Bomin Automotive LLC	Chevrolet, Cadillac, Buick
Dadeland Dodge, Inc.	Dodge, Ram, Chrysler and Jeep

- Clarify the pool's cumulative value; on August 15, 2019, BTS shows a cumulative value of \$53,061,625 for a term of 11 years and six months; however, the mayoral memorandum states that the cumulative value is \$50,749,000; and

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At the time the Mayoral memorandum was drafted (end of May 2019) and signed by the Mayor on June 24, 2019 the cumulative value was \$50,749,000.

Pursuant to Section 1.6 of the General Terms and Conditions, an extension for 180 days with respective prorated allocation of \$2,312,625 was approved by the Internal Services Department's Director for continuity of services. This brings the total cumulative allocation to \$53,061,625.

On July 17th the Committee forwarded the item to the September Board meeting with favorable recommendation.

- The mayoral memorandum states that *at the time of advertisement, 5,901 vendors were notified*. Summarize the notification process and whether such notification includes the SBEs falling under the solicitation's commodity code.

The standard County bidding system, BidSync, is used for the advertisement of solicitations and notifications to registered vendors. RTQ-01264 was advertised to 5,901 vendors under the solicitations commodity code.

ADDITIONAL INFORMATION

Gus Machado Ford, Inc., one of the prequalified vendors, was sued in the Eleventh Judicial Circuit of Florida by Plaintiff, Alejandro Abello, for violating F.S. 440.205 by firing the Plaintiff as retaliation for his seeking medical treatment and worker's compensation benefits due to injuries inflicted by a co-worker during the course of his employment (See Case No. 2016-008319-CA-01).

Miami Lakes AM, LLC, one of the prequalified vendors, was sued in the Eleventh Judicial Circuit of Florida by Plaintiff Alberto Carmello, for breach of a vehicle lease agreement; the suit sets forth an action to obtain declaratory relief and/or judgement, alleging the Defendant was unlawfully in possession of Plaintiff's down payment and trade-in and thus that Plaintiff is entitled to rescind the lease, receive reimbursement of his down payment and the return of his trade-in (See Case No. 2017-027350-CA-01).

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

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>

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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-228-08, adopted March 4, 2008, approved a prequalification pool for manufacturer's dealer OEM parts and repair services for various County departments for a one-year term plus five, one-year options to renew for \$4,599,500 for the initial term.

<http://intra/gia/matter.asp?matter=080315&file=true&yearFolder=Y2008>

Resolution No. R-718-17, adopted on July 6, 2017, requires the Administration to commence the planning for re-procurement and re-advertisement of contracts and prequalification pools for the purchase of goods and services that are subject to Board approval no later than 18 months before the expiration of such contracts and pools, inclusive of option to renew periods.

<http://intra/gia/matter.asp?matter=171632&file=true&yearFolder=Y2017>

Implementing Order 3-38 sets forth the County's policies 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>

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Research Notes**

**Item No. 8F11
File No. 191715**

Researcher: IL Reviewer: TD

RESOLUTION APPROVING REJECTION OF ALL BIDS RECEIVED FOR CONTRACT NO. FB-00952 FOR PAPER-BASED DISPOSABLE TRAYS FOR MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT; APPROVING AWARD OF CONTRACT NO. FB-01081 FOR THE DISPOSABLE PAPER TRAYS WITH LID FILM FOR THE MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT FOR A FIVE-YEAR TERM IN AN AMOUNT NOT TO EXCEED \$4,621,000.00; AND 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 the rejection of all bids received in response to Contract No. FB-00952 and approving the award of Contract No. FB-01081 for paper based-disposable trays in an amount not to exceed \$4,621,000 and a five-year term for the Miami-Dade Corrections and Rehabilitation (MDCR).

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department (ISD)

This item was brought before the Public Safety and Rehabilitation Committee on July 15, 2019, and was forwarded to the BCC with favorable recommendation contingent on the administration furnishing the rationale for the price increase.

ANALYSIS

The purpose of this item is for the Board to approve the rejection of all bids received in response to Contract No. FB-00952 and approve the award for Contract No. FB-01081.

ISD's current contract, Contract No. 9160-0/18 was awarded on October 18, 2019 via resolution R-979-13. The contract established two groups:

Group 1: purchase of paper based, dual oven-able trays for hot meals, and

Group 2: purchase of fiber trays for cold snacks and lunch meals.

The current contract was set to expire on July 31, 2019.

Contract No. FB-00952 was advertised on June 20, 2018 with the same two group frame work as Contract No. 9160-0/18. Group 1 has one sole bidder that was deemed non-responsive by the County Attorney's office. Regarding Group 2, the lowest bidder was also deemed un-responsive due to the price submittal being unclear according the mayoral memo. Additionally, the remaining bids under Group 2 were for a higher price than industry standards and exceeding the departments budgeted allocation. The following firms were categorized as un-responsive: 5Star Enterprise, Inc. (Group 2) and Toner Connect (Group 1). The following firms had prices for Group 2 above industry standards: District Healthcare & Janitorial Supply, Inc. dba District Healthcare (Micro/SBE) and Postal Center International.

An Invitation to Bid (ITB) was conducted on April 29, 2019 with a restructured method focused on an aggregate type of award versus a group style award. The ITB was issued under solicitation number FB-01801. ISD notified a total

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3,017 vendors and six bids were received including one “No Bid”. A second solicitation was issued under FB-01255 for the acquisition of goods under Group 2. The award for this solicitation will be executed under the Mayor’s delegated authority. Additionally, a bridge contract was established under Contract No. FB-01801B for six months using the competitive pricing received from the FB-01081 solicitation. This bridge contract is being used as a gap filler of services between the original expiration date of July 31, 2019 and the time it takes to approve the award for FB-01081 so that MDCR suffers no interruption of service.

The fiscal impact of the procurement for the bridge contract (FB-01081B) is a term of 6 months and a total amount of \$250,000 scheduled to expire on January 31, 2020. The fiscal impact for Contract No. FB-01081 is a five-year term in an amount not to exceed \$4,621,000. The annual allocation for the current contract (9160-0/18) is \$743,500 while the annual allocation for proposed contract (FB-01081) is \$924,400, a price difference of \$180,700 annually.

The firm being recommended for the award is Gassant Enterprises LLC D/B/A Gassant Enterprises with local address of 20609 NW 14 Place, Miami, FL 33169.

OCA conducted a review of the firms status on various sites, please see the table below:

Firm	Sunbiz	Tax Collector	West Law	Better Business Bureau
Gassant Enterprises LLC D/B/A Gassant Enterprises	Principal Address: 20609 NW 14 th Place, Miami, FL 33169 Date Filed: May 4, 2016	No profile	No cases identified	No Results available

OCA conducted a review on the Business Management Workforce System on August 9, 2019 for commodity code 640. Six firms were identified as SBE-Certified:

- A&B Hardware, Inc., DBA A&B Hardware – Lumber, Inc.
- Agni Enterprise, LLC, DBA Head to Heels Safety Supplies
- IPA Corp.
- Innovative Incentives, Inc.
- Print Farm, Inc., DBA Print Farm and PF Solutions Inc.
- Total Connection Inc.

DEPARTMENTAL INPUT:

The following questions were asked to ISD on July 10, 2019 as of August 9, 2019 the questions have not been answered:

- The proposed contract FB-01081 is only for Group 1 services correct? If so the annual allocation could have a potential higher cost considering that a second solicitation consisting of Group 2 services is being procured under FB- 01255, do we have the estimated cost of services under the group 2 solicitation? **\$897,840 for three years**

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APPLICABLE LEGISLATION/POLICY

Section 2-1 of the Code of Miami-Dade County, (Rules of Procedure), Provides the Rules of Procedures for the Board of County Commissioners; provides that items approved at committee meetings recommending the award or rejection of contracts for public improvements and purchases of supplies, materials, and services (including professional services) shall not be subject to the four-day rule; establishes that approvals to exercise OTR terms do not require committee review.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-1RUPRCOCO

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-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>

Resolution No. R-140-15, adopted January 21, 2015, approving an allocation of \$4.5 million from Building Better Communities General Obligation Bond Program Project Number 326 – “Acquire or Construct Multi-Purpose Facilities” to fund development of Richmond Heights Shopping Center by Miami-Dade County, now named Larcenia J. Bullard Plaza. The project consists of the construction of a new two-story building with approximately 14,000 square feet of total constructed area, fully air-conditioned, and reinforced masonry or concrete block structure.

<http://www.miamidade.gov/govaction/matter.asp?matter=142363&file=true&fileAnalysis=false&yearFolder=Y2014>

Resolution No. R-979-13, adopted December 3, 2013, authorized the award of competitive contracts under Item 1.1 – Paper-Based Disposable Trays in a total amount up to \$4,461,000.

<http://www.miamidade.gov/govaction/matter.asp?matter=132510&file=false&fileAnalysis=false&yearFolder=Y2013>

Resolution No. R-1011-15, adopted 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.

<http://www.miamidade.gov/govaction/matter.asp?matter=152271&file=true&fileAnalysis=false&yearFolder=Y2015>

Implementing Order No. 3-38 provides 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; 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>

**BCC Meeting:
Sept. 4, 2019
Research Notes**

**Item No. 8F12
File No. 191716**

Researcher: IL Reviewer: TD

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$6,286,200.00 FOR THE ONE, FIVE-YEAR OPTION TO RENEW TERM OF PREQUALIFICATION POOL NO. RTQ-00004 FOR THE PURCHASE OF UNINTERRUPTIBLE POWER SUPPLY SYSTEMS MAINTENANCE AND REPAIR FOR MULTIPLE DEPARTMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

ISSUE/REQUESTED ACTION

Whether the Board should authorize additional expenditure approval in the amount up to \$6,286,200 for Contract No. RTQ-00004 for the purchase of uninterruptible power supply (UPS) systems maintenance and repair for a one five-year option to renew for multiple departments.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department(ISD)

This item was brought before the Health Care and County Operations Committee on July 17, 2019 where it was forwarded to the September 4, 2019 BCC with a favorable recommendation.

ANALYSIS

The purpose of this item to add an additional amount of \$6,286,200 for the purchase of UPS(s) and to continue to provide system maintenance and repair to the existing UPS systems.

The fiscal impact to the county is \$6,286,200. OCA performed a review of existing Contract No. RTQ-00004 on July 11, 2019. The Board approved an allocation of \$2,892,000 for the initial five-year term and approved \$2,892,000 for the one, five-year option to renew term for a cumulative allocation of \$5,784,000. Furthermore, the Board approved a modification through Resolution No. R-384-15 for \$4,553,000 as well as additional modifications that were processed under the delegated authority for an existing allocation of \$8,329,500. Should this additional expenditure be approved, the pool will have a modified cumulative allocation of \$17,507,700.

OCA conducted a review of this contract on the Bid Tracking System's (BTS) Blanket Purchase Order tab on August 26, 2019.

Department	Allocation Amount	Released Amount	Balance	Requested Amount
Aviation	\$ 842,500	\$ 781,064	\$ 61,435	\$ 376,200
Corrections	\$ 15,000	\$ 6,220	\$ 8,779	\$ 0.00
ITD	\$1,300,000	\$ 576,010	\$ 723,989	\$ 800,000
MDFR	\$ 391,000	\$ 297,447	\$ 93,552	\$ 230,000
ISD	\$4,982,000	\$2,884,633	\$2,097,366	\$2,558,000
Library	\$ 40,000	\$ 26,200	\$ 13,800	\$ 0.00
DTPW	\$ 375,000	\$ 12,290	\$ 362,710	\$1,994,000

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MDPD	\$ 150,000	\$ 67,050	\$ 82,950	\$ 0.00
PROS	\$ 6,000	\$ 0	\$ 6,000	\$ 6,000
Seaport	\$ 60,000	\$ 13,600	\$ 46,400	\$ 320,000
WASD	\$ 168,000	\$ 81,640	\$ 86,359	\$ 2,000
Total	\$8,329,500	\$4,746,158	\$3,583,341	\$6,286,200

This contract was established on November 01, 2014 and currently, there are 22 prequalified vendors of which six (33%) have a local address and four are certified Small Business Enterprise. Resolution No. R-477-18 requires that a reason be provided as to why less than 75% of the vendors in a pool are not a local business. No reason was provided but note the department acknowledged the pool remains open to allow additional vendor participation. The expiration of this agreement is scheduled to be on October 31, 2019. This is not a legacy contract and 17 firms have been added since it commenced with approximately five firms in the pool.

ADDITIONAL INFORMATION

Below is an illustration of an UPS:



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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.

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

Resolution No. R-805-14, adopted August 8, 2014, authorized a pre-qualification pool for uninterruptible power supply systems maintenance and repair in a total amount up to \$31,284,000.

<http://www.miamidade.gov/govaction/matter.asp?matter=141772&file=true&fileAnalysis=false&yearFolder=Y2014>

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-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>

**BCC Meeting:
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Research Notes**

**Item No. 8F13
File No. 191752**

Researcher: IL Reviewer: TD

RESOLUTION APPROVING AWARD OF CONTRACT NO. RFP-00891 FOR PURCHASE OF RECREATION MANAGEMENT SOFTWARE SOLUTION FOR THE INFORMATION TECHNOLOGY DEPARTMENT IN A TOTAL AMOUNT NOT TO EXCEED \$2,200,00.00 OVER THE INITIAL FIVE-YEAR TERM AND ONE, FIVE-YEAR OPTIONS TO RENEW TERM; 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

ISSUE/REQUESTED ACTION

Whether the Board should authorize approval of Contract No. RFP-00891 for the purchase of recreation and management software solution, in the amount not to exceed \$2,200,000 for a term of five years with one, five-year option to renew, for the Information Technology Department.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department (ISD)

This item was brought before the HCCO committee meeting on July 17, 2019, and was forwarded to the BCC with a favorable recommendation. Prior to the approval of this item the following discussion occurred.

- Commissioner Jose "Pepe" Diaz inquired as to the life time of the proposed contract.
- Chief Financial Officer of ISD Namita Uppal, explained that it has to be procured this way otherwise a legacy contract results. Director Angel Petisco from ITD stated that we procured it this way to get a better price point.
- Commissioner Javier D. Souto, asked what this software was for? Director Angel Petisco, advised this is a system that manages renting out tennis courts and other activities that Parks requires a fee. PROS Assistant Director stated that this software is PROS core business solution and it replaces the existing legacy contract that has been in use for the past 10 years.
- Commission Xavier L .Suarez, you are saying that we are going to spend 2.2 million dollars for this program, what happens if we don't have this contract, will people have to use paper and pencil?
- Commissioner Sally A. Heyman questioned why can't this software be produced in house?
- ITD Director Angel Petisco, responded that it is possible but not practical.

ANALYSIS

The proposed resolution requests Board approval to award a contract for recreation management software for used at 70 County parks to process transactions for programs (i.e. summer camp, after-school programs, spring camp, winter camp and one day camps). This contract aims to replace a legacy contract previously approved by the Board on January 2018.

The fiscal impact to the county is \$1,235,000 for a five-year term with one-five year option to renew.

The current contract (L532) is valued at \$415,000 for a 33 month term expiring September 30, 2020. The proposed contract's annual cost is \$247,000 while the current contracts allocation is approximately \$138,333, a difference of \$108,667. The prior awardee was U.S. Edirect Inc., awarded back on January 1, 2018 and scheduled to expire on

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September 30, 2020. The mayoral memo explains that the increase in value is caused by the purchasing of software licensing, implementation, integration, configuration, data conversion, training, maintenances and support services. The current contract is limited to maintenance and support services.

A Request for Proposal (RFP) was issued on June 27, 2018. Nine proposals were received in response to the solicitation including one "No Bid". CivicPlus, Inc., was the highest ranked bidder and is being recommended for the contract award.

OCA conducted a search on the awarded firm on the different sites below on August 9, 2019:

Awarded Firm	Sunbiz	Tax Collectors Office	Florida DBPR	BBB	Westlaw
CivicPlus, Inc.,	FEIN No. 48-1202104 Principal Address 302 S. 4 th Street #500 Manhattan, KS 66502. Inactive Status on Sunbiz	None	None	None	No Open cases

OCA performed a search for commodity codes 20556 (Software, Application: Preprogrammed Software); 20558 (Software, Application; Preprogrammed Software); and 92045 (Software Maintenance/Support Services) on the Business Management Workforce System's Certified Vendor Directory on August 9, 2019. Listed below are the eight local SBEs identified:

- A & B Hardware, Inc, dba A & B Hardware-Lumber, Inc., Miami, FL SBE-G&S
- Amiritech Group LLC., Miami, FL SBE-G&S
- Computer Based Associates, Inc., Miami, FL SBE-G&S
- Insinet Group, LLC., Doral, FL SBE-G&S
- Meridian Partners, LLC, Miami Beach, FL SBE-G&S
- Network & Communication Services, Inc., Miami, FL SBE-G&S
- The Ashvins Group, Incorporated, Miami, FL SBE-G&S
- Trust Technology Solutions, Inc. Miami Lakes, FL SBE-G&S
- Visual Data Solutions, Inc, Miami, FL SBE-G&S

DEPARTMENTAL INPUT

The following question was asked of ISD on July 17, 2019, as of August 9, 2019 no responses have been received.

- Was market research conducted for this project?
- What were the pros and cons for doing this project in house versus outsourcing?

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

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Researcher: IL Reviewer: TD

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](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 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 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 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 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>

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Item No. 8F14
File No. 191905

Researcher: PGE Reviewer: TD

RESOLUTION AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE FIFTH AND FINAL OPTION TO RENEW PERIOD FOR CONTRACT NO. 1233-5/19-4, ELEVATOR MAINTENANCE SERVICES AND MODERNIZATION OF ELEVATOR EQUIPMENT, IN AN AMOUNT NOT TO EXCEED \$3,539,973.00 FOR MULTIPLE DEPARTMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should authorize the County Mayor to exercise the final one-year option to renew period for *Contract No. 1233-5/19-4, Elevator Maintenance Services and Modernization of Elevator Equipment*, with Thyssenkrupp Elevator Corp. in an amount of up to \$3,539,973 for multiple County departments.

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Internal Services

This item was considered at the July 17, 2019 meeting of the Health Care and County Operations Committee wherein it was forwarded to the Board with a favorable recommendation.

ANALYSIS

The purpose of this item is for the Administration to obtain Board approval to exercise the final one-year option to renew term under *Contract No. 1233-5/19-4, Elevator Maintenance Services and Modernization of Elevator Equipment*, with Thyssenkrupp Elevator Corp. This contract serves multiple County departments. The value of the option term is \$3,539,973, with the largest allocations slated for the Aviation Department (\$2,041,601) and the Department of Transportation and Public Works (\$1,046,385).

This contract was established pursuant to Resolution No. R-498-10 on May 4, 2010 for a term of five years plus five, one-year options to renew for a value of \$6,376,000. The scope of work includes modernization, maintenance, and emergency services for passenger elevators, moving walks, dumbwaiters and wheelchair lifts. The scope also includes the purchase of elevator components such as infrared door detectors and features required for compliance with the Americans with Disabilities Act.

The contract, which is currently in its fourth one-year option term, has been in effect for nine years and six months, is valued, cumulatively, at \$15,187,938, and expires on November 30, 2019. Per information found in the Bid Tracking System on August 23, 2019, a total of \$3,672,207 was allocated to the current option term's Blanket Purchase Order, of which \$2,256,257 has been released, leaving a balance of \$1,415,950. The current option term had an original expiration date of May 31, 2019; the term's November 30, 2019 expiration date reflects a six-month administrative extension.

Resolution No. R-718-17, adopted on July 6, 2017, requires the Administration to commence the planning for re-procurement and re-advertisement of contracts and prequalification pools for the purchase of goods and services that are subject to Board approval no later than 18 months before the expiration of such contracts and pools, inclusive of option to renew periods. Here, the current option term's original expiration date was May 31, 2019. Had the term not

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been administratively extended to November 30, 2019, per the resolution, re-procurement planning should have commenced in November 2017 based on the term's original expiration date.

The cumulative departmental allocations for the requested option term is \$3,539,973 and reflect historical usage and anticipated expenditures. If this request is approved, the total modified cumulative allocation would be \$18,727,911 (existing cumulative allocation of \$15,187,938 plus requested additional allocation of \$3,539,973), and the contract would be effective through November 30, 2020.

Much of the equipment being serviced have exceeded their life expectancy and continuously fail. Approving this option term ensures service continuity as Thyssenkrupp is the OEM, equipped with the engineering knowledge and trained technicians to correct equipment failures. The Administration is in the process of reviewing countywide elevator needs in order to establish a long-term replacement contract for elevator modernization and maintenance services.

It is important to mention that, on November 1, 2016, Thyssenkrupp was terminated as the awardee under *Contract No. 9103-5/19, Elevator Modernization and Maintenance Services for Miami-Dade Public Housing Agency*, for failure to timely repair equipment, causing safety concerns across relevant public housing facilities.

DEPARTMENTAL INPUT

OCA requested the following information from the Internal Services Department on August 27, 2019. As of today's publication date, the information has not been provided.

- For the current option term, provide a report showing, by department, the elevator units covered under this contract, the unit location, number of out of service incidents and cause of such incidents;
- For the current option term, detail incidents where individual safety has been compromised due to malfunctioning elevator units;
- Under the contract, what is the response timeframe for Thyssenkrupp for elevator repairs and the penalties for nonperformance;
- What is the status of the long-term replacement contract and how will it materially differ from the current contract; and
- Provide a copy of the County's elevator policies and procedures guide.

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

Section 29-124 of the County Code provides that where no surtax proceeds are used to fund a contract, no County funds may be used to pay the costs of a contract where the portion procured by or on behalf of Miami-Dade Transit or for transit-related procurements is valued at over one million dollars unless the Trust has submitted a recommendation

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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 majority vote. 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

Resolution No. R-498-10, adopted May 4, 2010, approved award of *Contract No. 1233-5/19* to ThyssenKrupp Elevator Corp. for five years plus five, one-year options to renew for elevator maintenance services to various departments for \$6,376,000.

<http://intra/gia/matter.asp?matter=100774&file=true&yearFolder=Y2010>

Resolution No. R-716-12, adopted 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 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-98-12, adopted on January 24, 2012, directed the County Mayor to negotiate better prices on all awarded contracts for the purchase of goods and services and prior to the exercise of any options to renew.

<http://intra/gia/matter.asp?matter=112444&file=true&yearFolder=Y2011>

Resolution No. R-1433-06, adopted December 19, 2006, directed the County Mayor to develop an administrative process for review of all contracts for procurement of goods and services for opportunities for small business enterprise participation prior to exercising the options to renew.

<http://intra/gia/matter.asp?matter=112444&file=true&yearFolder=Y2011>

Resolution No. R-718-17, adopted on July 6, 2017, requires the Administration to commence the planning for re-procurement and re-advertisement of contracts and prequalification pools for the purchase of goods and services that are subject to Board approval no later than 18 months before the expiration of such contracts and pools, inclusive of option to renew periods.

<http://intra/gia/matter.asp?matter=171632&file=true&yearFolder=Y2017>

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; 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/pdf/files/IO3-38.pdf>

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Research Notes

Item No. 8F15
File No. 191646

Researcher: JFP Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-01039 IN A TOTAL AMOUNT UP TO \$34,717,000.00 FOR THE PURCHASE OF FERTILIZERS, PESTICIDES, WEED KILLERS, AND LANDSCAPING/GARDENING MATERIALS FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

ISSUE/REQUESTED ACTION

Whether the Board should authorize the establishment of *Prequalification Pool RTQ-01039, Fertilizers, Pesticides, Weed Killers, and Landscaping/Gardening Materials* for multiple County departments in an amount not to exceed \$34,717,000 for a term of five years.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

The item was forwarded to the BCC with a favorable recommendation by the Health Care and County Operations Committee at its July 17, 2019 meeting.

ANALYSIS

The purpose of this item is to consolidate three current pools and establish *Prequalification Pool RTQ-01039* for the purchase of fertilizers, pesticides and weed killers, and landscaping/gardening materials. The total allocation for the five-year term is \$34,717,000. While multiple County departments will utilize the pool, Solid Waste Management will be the largest user with an allocation of \$20,213,000, as the department plans to purchase chemicals to combat and control the spread of mosquito borne diseases throughout the County. The cumulative values of the three current pools total \$45,627,000. The newly established pool has a greater annual allocation based on estimated departmental usage throughout the term of the pool.

Pursuant to Resolution No. R-718-17, the County is required to commence planning for re-procurement of contracts and prequalified vendor lists that are set to expire no later than 18 months prior to expiration, inclusive of option to renew periods. Two of the current pools—*9020-1/19-1* (five-year term, with one, five-year option to renew) and *9408-1/14-1* (two-year term with one, two-year option to renew and one Board approved five-year extension)—expire on December 31, 2019, with the third pool—*9303-1/20-1* (five-year term with one five-year option to renew)—expiring on September 30, 2020. Based on these expiration dates, re-procurement planning should have commenced on June 30, 2018.

A full review of the scope of services was conducted pursuant to Resolution No. R-140-15, resulting in the consolidation of three similar pools for administrative efficiencies. The new pool includes three groups:

Group 1: Fertilizers

Group 2: Pesticides and Weed Killers

Group 3: Landscaping/gardening materials

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Item No. 8F15

File No. 191646

Researcher: JFP Reviewer: TD

A Request to Qualify was issued and advertised with notification to 8,717 vendors, including the incumbent vendors. Six vendors responded. All six respondents, all of which are local and incumbent vendors, are being recommended for inclusion in the pool.

Vendor	Group(s)	Local Address	Sunbiz Status	Westlaw
Foliage Xpress, Inc. (SBE)	2, 3	16351 SW 216 Street, Miami, FL	Active	No relevant cases
FWR, LLC	3	9651 NW 89 Avenue, Medley, FL	Active	No relevant cases
Harrell's LLC	1, 2, 3	1120 NW 7 Street, Homestead, FL	Active	No relevant cases
Helena Agri-Enterprises, LLC, dba Helena Chemical Company	1, 2	450 NW 3 Avenue, Florida City, FL	Active	No relevant cases
Pro-Grounds Product, Inc. (SBE)	3	8834 SW 131 Street, Miami, FL	Active	No relevant cases
SiteOne Landscape Supply, LLC	2, 3	11980 SW 128 Street, Miami, FL	Active	No relevant cases

Three additional vendors are under consideration and have not yet been recommended for inclusion in the pool as receipt of documents and licenses is currently pending. Two vendors were not recommended for award. One was a no bid, and the second is an SBE, but was not recommended for inclusion in the pool because it did not provide the required documents to satisfy the prequalification criteria. This vendor, Crodon, Inc., may be added to the pool upon submission and verification of the required documents. The pool will remain open and outreach will continue as vendors may be added at any time.

An August 24, 2019 Business Management Workforce System search for the solicitation's commodity codes, along with that of the commodity codes for the current pools (33530 – Blended or Dry Mix, Commercial, Fertilizer; 595 – Nursery Stock, Equipment, and Supplies; and 67585 – Weed Killers (Herbicides), Dry) yielded the following local Small Business Enterprise firms (those being recommended for inclusion in the pool are denoted with an asterisk):

- A & B Hardware, Inc., dba A & B Hardware - Lumber, Inc.
- Argus Lighting, Inc.
- Crodon, Inc.
- Florida Garden Center Corp
- Foliage Xpress, Inc.*
- Jador International Corporation
- Pro-Grounds Products, Inc.
- Southern Blossoms Inc.
- Sunset Sod, Inc.
- Total Connection Inc.
- Veber's Jungle Garden, Inc.

On July 24, 2019, the Citizens' Independent Transportation Trust unanimously voted to forward a favorable recommendation of this item to the BCC.

BCC Meeting: September 4, 2019
Research Notes

Item No. 8F15
File No. 191646

Researcher: JFP Reviewer: TD

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

Resolution No. R-1061-09, adopted July 23, 2009, establishes a contract to purchase several types of custom fertilizers for various County departments for a five-year term with one, five year option to renew, with a cumulative value of \$8,032,000.

<http://intra/gia/matter.asp?matter=092166&file=true&yearFolder=Y2009>

Resolution No. R-1046-14, adopted December 2, 2014, approved a five-year extension for a prequalification pool to purchase landscaping and gardening materials in the amount of \$1,829,000.

<http://intra/gia/matter.asp?matter=142206&file=true&yearFolder=Y2014>

Resolution No. R-824-10, adopted July 20, 2010, established a prequalification pool to purchase pesticides and weed killers, with a total cumulative value of \$29,632,000.

<http://intra/gia/matter.asp?matter=101697&file=true&yearFolder=Y2010>

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-718-17, adopted July 6, 2017, directs the Administration to commence planning for re-procurement no later than 18 months prior to the expiration of contracts and prequalification pools for purchases of goods and services.

<http://intra/gia/matter.asp?matter=171632&file=true&yearFolder=Y2017>

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File No. 191646

Researcher: JFP Reviewer: TD

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>

BCC Meeting: September 4, 2019
Research Notes

Item No. 8I1
File No. 191571

Researcher: MF Reviewer: TD

RESOLUTION APPROVING THE MUTUAL AID AGREEMENT FOR SUPER BOWL LIV, VIA MIAMI-DADE COUNTY, THROUGH THE MIAMI-DADE POLICE DEPARTMENT; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE MUTUAL AID AGREEMENT WITH THE CITY OF PEMBROKE PINES; TO EXECUTE FUTURE AGREEMENTS WITH OTHER GOVERNMENTAL BODIES AND THEIR RESPECTIVE LAW ENFORCEMENT AGENCIES AND TO EXERCISE CANCELLATION PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve a Mutual Aid Agreement for Super Bowl LIV between Miami-Dade Police Department (MDPD) and the City of Pembroke Pines.

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Joe A. Martinez

Department/Requester: Miami-Dade Police Department (MDPD)

The item was heard at the Public Safety and Rehabilitation Committee meeting of July 15, 2019 and forwarded to the BCC meeting of September 4, 2019 with a favorable recommendation.

ANALYSIS

The purpose of this item is to enter into a mutual aid agreement between MDPD and the City of Pembroke Pines in preparation for, during and after Super Bowl LIV for the period spanning January 19, 2020 through February 16, 2020.

Super Bowl LIV will be held Sunday, February 2, 2020 at Hard Rock Stadium in Miami Gardens. According to the mayor's memo, the mutual aid agreement would not create a fiscal impact for Miami-Dade County, as it is the responsibility of the City of Pembroke Pines to bear all and any costs incurred in providing public safety under said agreement. Additionally, Florida Statute Chapter 23, Part 1, *Florida Mutual Aid Act*, states the County has the authority to enter into a mutual aid agreement for law enforcement services with other agencies or governmental agencies.

Currently, the County has agreements with all sheriff's offices in Florida, all 34 municipalities in Miami-Dade County, Miami-Dade County Schools, and Florida International University. Through this proposed agreement, the County will add the City of Pembroke Pines to its list of agencies that will provide support and assistance during Super Bowl LIV.

ADDITIONAL INFORMATION

According to the Miami 2020 Super Bowl LIV Host Committee website, this will be the 11th time a Super Bowl game is hosted in Miami-Dade County, which is a record-setting endeavor. The County previously hosted the Super Bowl in 1968, 1969, 1971, 1976, 1979, 1989, 1995, 1999, 2007, and 2010.

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

DEPARTMENTAL INPUT

OCA posed the following questions to MDPD regarding this item on July 11, 2019; MDPD submitted responses on July 22, 2019, and are shown in **bold** below.

- What type of public safety assistance will the City of Pembroke Pines offer? **The city of Pembroke Pines will provide police services as needed.**

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Research Notes

Item No. 8II

File No. 191571

Researcher: MF Reviewer: TD

- Is there any special equipment that MDPD will be loaning or issuing to the City of Pembroke Pines for this event? **The Miami-Dade Police Department (MDPD) will not be loaning or sharing any special equipment to the city of Pembroke Pines.**
- Why does the agreement with the City of Pembroke Pines end on February 16, 2020 and not continue like the other Mutual Aid Agreements with other jurisdictions? **This particular mutual aid agreement is specific to Super Bowl LIV. The agreement begins on January 19, 2020, and concludes on February 16, 2020, to provide two weeks on either side of the event, scheduled for February 2, 2020, to ensure adequate police assistance to the MDPD for both pre and post-Super Bowl events occurring in Miami-Dade County.**
- Which other jurisdictions and/or police agencies will provide assistance to MDPD before, during and after the Super Bowl?; specifying the size of the overall coordinated law enforcement deployment. **Presently, the MDPD is partnering with multiple public safety agencies at the federal, state, and local levels to include the Federal Bureau of Investigation, Miami, Miami Beach, Miami Gardens, Opa-Locka, Aventura, North Miami Beach, and Miramar Police Departments. These agencies will be assisting in various roles to support the MDPD with potential public safety concerns during Super Bowl LIV. It is too early to predict the entire scale of the coordinated law enforcement deployment; however, enforcement efforts will be centered around high visibility patrols, directed patrols, and information sharing.**
- What are the costs incurred by MDC under the scope of this agreement? **There are no costs incurred under this mutual aid agreement. The city of Pembroke Pines is responsible for all of its own costs, to include its equipment and personnel.**

APPLICABLE LEGISLATION/POLICY

Chapter 23, of the Florida Statutes provides for the Florida Mutual Aid Act, which outlines a state law enforcement mutual aid plan for the command and coordination of law enforcement planning, operations, and mutual aid, and to dispatch and use state law enforcement and equipment because of natural or manmade disasters or emergencies whenever a local law enforcement agency requires law enforcement assistance from the state or any jurisdiction.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0000-0099/0023/0023PARTIContentsIndex.html

Resolution No. R-214-15, adopted by the Board on March 3, 2015, authorizes terms of mutual aid agreements between Miami-Dade County and select governing bodies and their respective agencies, including any future governing body operating its own police department and its respective law enforcement agency.

<http://intra/gia/matter.asp?matter=142621&file=true&yearFolder=Y2014>

Resolution R-984-17 adopted November 7, 2017 establishes a Mutual Aid Agreement with Key Largo for emergency medical support during catastrophic event.

<http://www.miamidade.gov/govaction/matter.asp?matter=172028&file=true&fileAnalysis=false&yearFolder=Y2017>

Resolution R-444-18 adopted May 1, 2018 establishing a Money Laundering Task Force between Miami-Dade County and Broward County.

<http://www.miamidade.gov/govaction/matter.asp?matter=180828&file=true&fileAnalysis=true&yearFolder=Y2018>

Resolution R-259-19 adopted February 5, 2019 establishes a Mutual Aid Agreement between Palm Beach County and other jurisdiction to combat auto theft.

<http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2019/190151min.pdf>

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File No. 191571

Researcher: MF Reviewer: TD

Resolution R-129-19 adopted February 5, 2019 establishes a Mutual Air Agreement with Monroe County for the rehabilitation of aviation facilities following an emergency.

<http://www.miamidade.gov/govaction/matter.asp?matter=182721&file=true&fileAnalysis=false&yearFolder=Y2018>

BCC Meeting: September 4, 2019
Research Notes

Item No. 8I2
File No. 191559

Researcher: LE Reviewer: TD

RESOLUTION APPROVING THE AGREEMENT BETWEEN FLORIDA INTERNATIONAL UNIVERSITY AND MIAMI-DADE COUNTY THROUGH THE MIAMI-DADE POLICE DEPARTMENT TO CONDUCT AN EVALUATION OF THE YOUTH OUTREACH PROGRAM; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE AMENDMENTS, RENEWALS, TERMINATION AND OTHER PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve an agreement between Florida International University (FIU) and the County through the Miami-Dade Police Department (MDPD) to conduct an evaluation of the Youth Outreach Unit (YOU) Program.

PROCEDURAL HISTORY

Prime Sponsor: Joe Martinez, District 11

Department/Requester: Miami-Dade Police Department

This item was forwarded to the BCC with a favorable recommendation during the Public Safety and Rehabilitation (PSR) meeting on July 15, 2019.

ANALYSIS

The purpose of this item is to approve an agreement between FIU and the County through MDPD to provide an evaluation of the YOU Program to determine its effectiveness.

This item does not have a fiscal impact as there is no cost agreement. FIU will provide two funded, full-time doctoral students to perform the evaluation.

As part of the You and Community Safety Initiative, strategies and programs have been created to combat and reduce gun violence and criminal activity throughout the County. The YOU Program was created by MDPD as a community partnership with Miami-Dade County Juvenile Services Department, Florida Department of Juvenile Justice, Miami-Dade County Public Schools, Miami-Dade Schools Police Department, County parks and libraries, and other community-based organizations to build relationships and trust between communities and local authorities. MDPD police officers are assigned to the YOU Program to assist juveniles and their family units, and engage with at-risk-youth to prevent reoffending. The participating youth are paired with police officers to establish a relationship that will provide mentorship, behavioral relationship building, academic progress, and career/vocational development. The program aims to foster healthy relationships through youth mentorship and bridge the divide between communities and police in a nontraditional manner. The program's approach allows for a proactive and rehabilitative development of trust in communities.

FIU's Department of Criminology and Criminal Justice and Department of Public Policy and Administration will provide two full-time doctoral students to perform the evaluation under the supervision of two faculty members. The researchers will utilize quantitative and qualitative research methods such as data collection, in-depth interviews, site visits, and observations. The evaluation will also review the program's impact on reducing recidivism, improving the participants' academic performance, and enhancing the participants' and their family members' quality of life based on their use of the program's services. In Spring 2021, the researchers will present their findings to MDPD and other

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Researcher: LE Reviewer: TD

interested parties and provide a final evaluation report. The agreement will be effective once it is signed by all parties and will continue through April 30, 2021 with two renewal periods of two years each.

DEPARTMENTAL INPUT

On July 12, 2019, OCA sent out the following questions to the Miami-Dade County Police Department and received the following answers on July 31, 2019:

- **How has the program's success been measured before? Have there been any negative experiences?**
The Miami-Dade Police Department's Youth Outreach Unit (YOU) Program Manual outlines measures of success in the following manner:

Stage 1: No tardiness or absenteeism in the entire school quarter (9 weeks), improvement in conduct and grades, no negative interaction with police, no arrest, no negative incidents at home with family, friends, or neighbors.

Stage 2: Continuation from previous school quarter (9 weeks) - no tardiness or absenteeism in the entire school quarter (9 weeks), improvement in conduct and grades, no negative interaction with police, no arrest, no negative incidents at home with family, friends, or neighbors.

Stage 3: Continuation from previous school quarter (9 weeks) - no tardiness or absenteeism in the entire school quarter (9 weeks), improvement in conduct and grades, no negative interaction with police, no arrest, no negative incidents at home with family, friends, or neighbors.

Stage 4: The mentee has completed the entire school year (36 weeks) without incident.

Some negative experiences include lack of funding for "pay to participate" activities or meals for the mentee, lack of support from parents of mentees, lack of available youth activities for youngsters during the evening hours, not enough time for officers to mentor due to operational assignments, lack of continued program interest by some mentees after completion of the Juvenile Services Department's Diversion Program, and the unfortunate need to reactively remove some mentees from the program due to criminal activity or a gross lack of participation in program activities.

- **Which targeted neighborhoods are part of the program?**
All neighborhoods within the Intracoastal and Northside Districts, and the communities of Perrine, Goulds, and Naranja within the South District, are part of the YOU Program.
- **What is the expected number of participants?**
The expected number of participating YOU Program mentees is 25. The YOU Program Manual outlines the mentor/mentee ratio as two police officers to one mentee (one day shift officer and one afternoon shift officer). The Department of Justice's Community Oriented Policing Services grant(s) awarded to the Miami-Dade Police Department funded a total of 50 police officer positions, which are presently assigned as follows:

Intracoastal District - 5 police officers and 5 youths

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Researcher: LE Reviewer: TD

Northside District - 25 police officers and 12 youths

South District - 20 police officers and 19 youths

- **How many other police departments have a similar program? How many police officers are involved?**
The requested information is unknown at this time.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-264-13, adopted on April 2, 2013, supports several community-wide recommendations of the Joint Roundtable on Youth Safety and directs the County to collaborate on the roundtable's recommendations.

<http://intra/gia/matter.asp?matter=130558&file=true&yearFolder=Y2013>

BCC Meeting: September 4, 2019
Research Notes

Item No. 8J1
File No. 191706

Researcher: MF Reviewer: TD

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN MIAMI-DADE COUNTY ("COUNTY") AND THE DEPARTMENT OF THE ARMY AUTHORIZING THE TRANSFER OF \$4,268,000 OF FEDERAL FUNDS TO THE COUNTY FOR USE BY THE DANTE B. FASCELL PORT OF MIAMI-DADE ("PORTMIAMI") TO CARRY OUT ACTIVITIES AND USES DESCRIBED THEREIN; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE FUTURE STANDARD FORM MEMORANDA OF AGREEMENT UNDER CERTAIN CIRCUMSTANCES WITH THE DEPARTMENT OF THE ARMY AND TO ACCEPT THE GRANT OR TRANSFER OF FEDERAL GRANT FUNDS AUTHORIZED THEREIN FOR USE BY PORTMIAMI

ISSUE/REQUESTED ACTION

Whether the Board should authorize an agreement between the County and the Department of the Army for the transfer of \$4,268,000 of federal funds to the County for use by PortMiami.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Seaport Department (PortMiami)

This item was heard at the Tourism and Ports Committee meeting of July 16, 2019 and forwarded to the BCC meeting of September 4, 2019 with a favorable recommendation.

ANALYSIS

The purpose of this resolution is to obtain Board approval to execute a Memorandum of Agreement (MOA) between the County and the Department of the Army to transfer \$4,268,000 in federal funds to be used by PortMiami for continued environmental mitigation efforts related to dredging berths or navigation channels.

Per the mayor's memo, the MOA provides for a dual function: 1) allows the transfer of \$4,268,000 derived from the federal Harbor Maintenance Tax (HMT) to be used by PortMiami; and 2) consents to future grant agreements and amendments with the Department of the Army to authorize disbursement of forthcoming HMT funds as they become available to the County for PortMiami.

Execution of the MOA will have a positive fiscal impact of \$4,268,000. Said funds are generated by the HMT, which is applied to cargo imported into the United States from foreign nation, and cargo transferred between any two United States coastal ports, in order to pay for the maintenance dredging of harbors and waterways. As such, PortMiami is considered a donor port, thus, the port is slated to receive \$1,897,000 for fiscal year 2018, and another \$2,371,000 for fiscal year 2019, totaling \$4,268,000.

APPLICABLE LEGISLATION/POLICY

Harbor Maintenance Tax (HMT), adopted in 1986 by the U.S. Congress, serves to recover the operation and maintenance dredging costs for federally-authorized ports from maritime shippers.

www.congress.gov

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File No. 191706

Researcher: MF Reviewer: TD

Water Resources Reform and Development Act of 2014, Section 2106, adopted June 10, 2014 by the U.S. Congress, authorizes the Corps of Engineers' key civil works missions, including navigation, flood risk management and environmental restoration.

<https://www.usace.army.mil/Missions/Civil-Works/Project-Planning/Legislative-Links/wrrda2014/>

**BCC Meeting:
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Research Notes**

**Item No. 8K2
File No. 191741**

Researcher: IL Reviewer: TD

RESOLUTION CONSENTING TO THE ACQUISITION OF BROWNSVILLE TRANSIT VILLAGE I (AKA EVERETT STEWART SR. VILLAGE) AND BROWNSVILLE TRANSIT VILLAGE II BY LINCOLN AVENUE CAPITAL MANAGEMENT, LLC FROM CURRENT OWNERS CARLISLE GROUP IV LTD. AND BROWNSVILLE VILLAGE II, LTD.; SUBORDINATION OF THE MIAMI-DADE COUNTY LOAN FOR BROWNSVILLE TRANSIT VILLAGE II TO NEW FIRST MORTGAGE LOAN; THE FUTURE REFINANCING OF SENIOR LOAN DEBT THROUGH THE FOUR PERCENT LOW INCOME HOUSING TAX CREDIT PROGRAM AND FEDERAL HOUSING ADMINISTRATION INSURED FINANCING FOR BROWNSVILLE II, THE EXTENSION OF THE REMAINING OUTSTANDING COUNTY DEBT BY AN ADDITIONAL 36 YEARS FOR BROWNSVILLE TRANSIT VILLAGE II, AND FUTURE SUBORDINATION OF MIAMI-DADE COUNTY LOAN TO THE LOW-INCOME HOUSING TAX CREDIT FINANCING FOR BROWNSVILLE TRANSIT VILLAGE II; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE STANDARD ASSUMPTIONS OF MORTGAGE AND SECURITY AGREEMENT AND OTHER LOAN DOCUMENTS, LOAN MODIFICATIONS, AMENDED RENTAL REGULATORY AGREEMENTS AND SUBORDINATION AGREEMENTS FOR BROWNSVILLE TRANSIT VILLAGE II AND THE AMENDED RENTAL REGULATORY AGREEMENTS FOR BROWNSVILLE TRANSIT VILLAGE I

ISSUE/REQUESTED ACTION

Whether the Board should adopt the proposed resolution which is seeking approval for the County to take ownership of Brownsville Transit Village I and Brownsville Transit Village II assume subordination of the County Loan to the new first mortgage and to allow the County to assist through future refinancing of senior loan debts and extending the remaining outstanding debt by 36 years amongst other dealings.

PROCEDURAL HISTORY

**Prime Sponsor: Commissioner Audrey M. Edmonson, District 3
Requestor: Public Housing and Community Development (PHCD)**

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

ANALYSIS

The proposed item seek for the Board to approve 1) The acquisition of Brownsville Transit Village I (Brownsville I) (aka Everett Stewart Sr. Village) and the Brownsville Transit Village II (Brownsville II) from Carlisle Group IV, Ltd and Brownsville Villa II, Ltd; 2) Approve subordination of the County loan to the new first mortgage loan for Brownsville II; 3) The future refinancing of senior loan debt through the four percent Low Income Housing Tax Credit (LIHTC) program and Federal Housing Administration (FHA) insured financing for Brownsville II; 4) Approve the extension of the remaining outstanding County debt by an additional 36 years for Brownsville II; 5) Approve the future subordination of the County loan to the LIHTC financing for the Brownsville II; and 6) Authorizing the County Mayor to execute standard assumptions of mortgage, rent and security agreements and of other loan documents, loan modification for Brownsville II, and amend rental regulatory agreement for Brownsville Transit Village I and II contingent on the County Attorneys approval.

LAC is a for profit corporation and has had experience developing and rehabilitating properties for the County. To date the County does not have any performance issues recorded according to PHCD. LAC inquired with Brownsville Station (owner) of the property as to how they could rehabilitate this structure. Due to the fact that an existing debt exists with PHCD, LAC was advised to contact PHCD to request. OCA conducted a Westlaw search on LAC which did not reveal any information of concern.

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**Item No. 8K2
File No. 191741**

Researcher: IL Reviewer: TD

The subject properties are located at 5255 NW 29th Street, Miami, FL 33142 and at 5225 NW 29th Street, Miami, FL 33142 in Commission District 3, represented by Chairwoman Audrey M. Edmonson.

The table below illustrates descriptive facts about the two (2) properties being conveyed as seen as Table “A” in the Mayor’s memo.

Property (Legal Description)	Address	No. Of Units	Lot Size (Square ft.)	Loan Amount	Current Maturity Date	Proposed Maturity Date	Market Value (2019) Property Appraiser
1)Brownsville Station (Transit Village I)	5255 NW 29th Avenue Miami, FL 33142	96	675,230	\$951,627	12/31/2040	12/31/2066	\$11,517.00
2) Brownsville Station (Transit Village II)	5225 NW 29th Avenue Miami, FL 33142	100	6,750	\$2,406,359	12/31/2040	12/31/2066	\$55,392.00

Picture illustrating 5225/5255 NW 29 Avenue, Miami, FL 33142

PROPERTY INFORMATION

Folio: 30-3121-059-0010

Sub-Division:
BROWNSVILLE STATION

Property Address
5255 NW 29 AVE
5205 NW 29 AVE
5211 NW 29 AVE
5213 NW 29 AVE
5269 NW 29 AVE
5267 NW 29 AVE

Owner
RAINBOW HOUSING CORPORATION
MIAMI DADE TRANSIT AGENCY

Mailing Address
2043 NW 4 CT
MIAMI, FL 33127

PA Primary Zone
7100 INDUSTRIAL - LIGHT MFG

Lincoln Avenue Capital Management, LLC (LAC) proposed to the County the acquisition of two affordable housing properties from the Carlisle portfolio. LAC will invest capital into each property to further its mission of preserving and improving existing affordable housing in the State of Florida, specifically in Miami-Dade County. LAC is a New York based real estate

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Researcher: IL Reviewer: TD

owner and developer whose firm's primary goal is the development and preservation of affordable housing across the United States with a particular emphasis in Florida. LAC intends, to complete a substantial rehabilitation of the property using four percent tax credits and FHA insured financing.

ADDITIONAL INFORMATION

LAC focuses on providing low-income families with affordable housing through Low Income Housing Tax Credit (LIHTC) transactions and other rental subsidies, including Section 8 programs from the U.S. Department of Housing and Urban Development.

DEPARTMENTAL INPUT:

The following questions were asked to PHCD on July 17, 2019:

1. Does LAC make a profit for rehabilitating these properties? **Yes. They are a for-profit company**
2. Has LAC rehabilitated any of our properties in the past? If so is there a performance review? **Yes, they have rehabilitated other properties and PHCD has no record of any performance issues.**
3. How are proposers like LAC typically selected? **LAC approached the owner of the properties and was instructed to contact PHCD because PHCD had debt on the properties. LAC then contacted PHCD.**
4. Could PHCD provide a copy of the due diligence process that LAC was subjected to? **The due diligence was done per Resolution No. R-630-13.**

APPLICABLE LEGISLATION/POLICY

Chapter 420.9072 of the Florida Statutes, governing The State Housing Initiatives Partnership Program, is created for the purpose of providing funds to counties and eligible municipalities as an incentive for the creation of local housing partnerships, to expand production of and preserve affordable housing, to further the housing element of the local government comprehensive plan specific to affordable housing, and to increase housing-related employment.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0400-0499/0420/Sections/0420.9072.html

Sections 125.379(1) &(2) of the Florida Statutes (Disposition of county property for affordable housing), which requires each County in the State to prepare an inventory list of all real property within its jurisdiction to which the County holds fee simple title that is appropriate for use as affordable housing and properties identified as appropriate for use as affordable housing on the inventory list may be offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.379.html

Section 125.411 of the Florida Statutes (Conveyance of Land by County), sets forth the formality by which Deeds of Conveyance of lands are executed by County governments in the State of Florida.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.411.html

Rule 67-37.007(10) of the Florida Administrative Code, governs the review of the Local Housing Assistance Plans and Amendments. The legislature has made a number of changes to the SHIP program through statutory revision. The changes include requirements to expend at least 20% of funds on Households with Special Needs, expanded use of funds for rental assistance, changes to compliance requirements for rental developments, and changes in the requirements related to the

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File No. 191741**

Researcher: IL Reviewer: TD

composition of the local affordable housing advisory committee. Local housing distribution funds and other funds deposited into the local housing assistance trust fund must be used for housing production and finance activities, including: financing preconstruction activities, financing the purchase of existing units, providing rental housing, and providing home ownership training or counseling to prospective home buyers and owners of homes assisted through the local housing assistance plan
<https://www.flrules.org/gateway/ruleNo.asp?id=67-37.002>

Section 17-103 of the County Code, governing the Administration and implementation of Miami-Dade County's Local Housing Assistance Program. The Housing Finance Authority of Miami-Dade County, Office of Community and Economic Development ("OCED"), Miami-Dade Housing Agency ("MDHA") shall be responsible for implementation and administration of the Local Housing Assistance Program. At a minimum, the Housing Finance Authority of Miami-Dade County, OCED, or Miami-Dade Housing Agency shall be responsible for Overseeing the receipt and expenditure of SHIP Program and other housing program funds assigned by the County Manager in accordance with applicable guidelines including the State Housing Initiatives Partnership Act and the Miami-Dade County Affordable Housing Program Guidelines; The cost of administering Miami-Dade County's Local Housing Assistance Program with SHIP Program funds shall not exceed ten (10) percent of the local housing distribution of SHIP Program funds deposited into the Local Housing Assistance Trust Fund.
https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIIICOR_CH17HO_ARTVILOHOASPR_S17-103ADIMMIDECOLOHOASPR

Resolution No. R-641-07, adopted May 25, 2007, approving the recommendations of funding for the Miami-Dade County request for applications for FY 2007 documentary surtax (surtax) mid-year cycle; and authorizing the County Mayor or his designee to execute any necessary agreements
<http://www.miamidade.gov/govaction/matter.asp?matter=071651&file=true&fileAnalysis=false&yearFolder=Y2007>

Resolution No. R-647-08, adopted May 23, 2008, approving the recommendations of funding for the Miami-Dade County request for applications for the FY 2008 Documentary Surtax (surtax) and State Housing Initiative Partmentship (SHIP) mid-year cycle; and authorizing the County Mayor or his designee to execute any necessary agreement
<http://www.miamidade.gov/govaction/matter.asp?matter=081625&file=true&fileAnalysis=false&yearFolder=Y2008>

Resolution No. R-974-09 (Filing Closing Documents with the BCC Clerk) adopted July 21, 2009, directs any resolution authorizing the execution of instruments creating a County interest in real property to require that such instruments to be recorded in the public records of Miami-Dade County and attached by the Clerk of the Board to the authorizing resolution.
<http://intra/gia/matter.asp?matter=091900&file=true&yearFolder=Y2009>

Resolution No. R-1071-09, adopted September 1, 2009, approving the recommendation of surtax funding for the Miami-Dade county Request for Applications (RFA) FY 2009 mid-year cycle upon completion of a subsidy layering review and subject to the developer's financial viability as determined upon completion of the subsidy layering review; and further authorizing the county mayor or the county mayor's designee to execute any necessary agreements
<http://www.miamidade.gov/govaction/matter.asp?matter=092852&file=false&fileAnalysis=false&yearFolder=Y2009>

Resolution No. R-376-11 (County Owned Real Property Affordable Housing) adopted May 3, 2011, directs that any resolution authorizing the rehabilitation, improvement or conveyance of County-owned real property appropriate for or to be used as affordable housing shall include detailed information on the property and the County's investment and future control.
<http://intra/gia/matter.asp?matter=110684&file=true&yearFolder=Y2011>

**BCC Meeting:
Sept. 4, 2019
Research Notes**

Item No. 8K2
File No. 191741

Researcher: IL Reviewer: TD

Resolution No. R-630-13 (Due Diligence in HCD funding) Requiring a detailed project budget, sources and uses statement, certifications as to past defaults on agreements with Non-County funding sources, and due diligence check prior to the County Mayor Or County Mayor's Designee Recommending a commitment of County funds to social services, economic development, community development, and affordable housing agencies and providers; requiring certain terms to be included in contracts

<http://www.miamidade.gov/govaction/matter.asp?matter=131512&file=false&fileAnalysis=false&yearFolder=Y2013>

Resolution No. R-333-15 (Market Value or Market Rental in Legislative Items) adopted April 21, 2015, establishes a County policy to require 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-979-17 (Resolution Declaring 226 County-Owned Properties Surplus) adopted November 7, 2017, declares various County-owned properties surplus and revises the inventory list of real property upon conclusion of a public hearing, to include the properties in accordance with section 125.379(1), Florida Statutes; authorizing the County Mayor to include said properties in the Infill Program, subject to the consultation with each County Commissioner in whose district the properties are located; and waiving the requirements of Resolution Nos. R-376-11 and R-333-15.

<http://intra/gia/matter.asp?matter=171574&file=true&yearFolder=Y2017>

Administrative Order No. 8-4 (Sale or Lease of County Real Property), adopted May 5, 1981, gives the Board the authority to sell or lease or otherwise dispose of County-owned real property:

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

**BCC Meeting: September 4, 2019
Research Notes**

**Item No. 8L1
File No. 191650**

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE TOWN OF CUTLER BAY AND MIAMI-DADE COUNTY TO PROVIDE FILM PERMITTING SERVICES FOR A FIVE-YEAR TERM WITH OPTION TO RENEW FOR ONE ADDITIONAL FIVE-YEAR TERM; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE RENEWAL AND TERMINATION PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the Interlocal Agreement between the Town of Cutler Bay (Town) and Miami-Dade County (County) for film and photo permitting services for a five-year term with an option to renew for an additional five-year term.

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Daniella Levine Cava, District 8

Department/Requester: Regulatory and Economic Resources

This item was considered at the July 17, 2019 meeting of the Parks, Recreation and Cultural Affairs Committee wherein it was forwarded to the BCC with a favorable recommendation.

ANALYSIS

This item is recommending the Board's approval of an Interlocal Agreement with the Town of Cutler Bay to enable the Miami-Dade Office of Film and Entertainment to issue permits to film, television and still photography production companies desiring to use the Town's facilities. The Town of Cutler Bay is located in Commission District 8, represented by Commissioner Daniella Levine Cava. The term of the agreement is for five years plus an optional renewal term of five years. The County does such permitting for 12 other municipalities – City of Doral, Village of El Portal, City of Florida City, City of Hialeah, City of Hialeah Gardens, City of Miami Gardens, Town of Miami Lakes, City of Miami Springs, City of North Miami Beach, North Bay Village, Village of Palmetto Bay and City of South Miami.

This agreement replaces an expired agreement between the Town and the County for film permitting services in 2013. This replacement agreement allows the Town and the County to continue providing film permitting services. According to the mayoral memorandum, under the proposed agreement, the Miami-Dade Office of Film and Entertainment will receive \$100 from each permit application for each film permit processed on behalf of the Town. Student films are exempt from the application fee. Turnaround time on permits is determined by the location and complexity of the production. Permits costs \$100 for each 28 production days.

Other key provisions under the agreement are: (1) the County shall provide written notice to the Town, via email and U.S. mail, of requests for Town facilities or services within one working day of receipt of the request from a production company for such service; the Town retains the right to deny issuance of a permit based on insufficient advance notice; (2) the County shall obtain from any production company issued a permit for the Town, an insurance certificate, naming the Town as additionally insured, in the amount of \$1,000,000, providing for general liability coverage; and (3) the Town agrees that it will be responsible for the billing and collection of any fees or charges assessed to a production company for use of its facilities and/or services and the County will in no way be liable for such charges, if unpaid.

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Researcher: PGE Reviewer: TD

Film permits are generally required throughout the County and each of its municipalities for commercial film, video or still photo shoots that are conducted on public property, i.e., roads and streets, sidewalks, or in parks, beaches or public buildings. A film permit is not required for individuals filming or videotaping only for their own personal or private use, for employees of print or electronic news media when filming on-going news events.

On January 17, 2018, the Town of Cutler Bay passed and adopted a resolution endorsing an Interlocal Agreement with Miami-Dade County for film and photo permitting. Through the Interlocal Agreement, the Town will continue receiving one-stop permitting services provided by the County. The Town considers one-stop permitting the single most effective enticement to attract an increasing number of film, television and still photography shoots within its boundaries. Anticipated or slated film, television and still photography projects requiring use of the Town's facilities have not been set forth in the agenda item.

DEPARTMENTAL INPUT

The following information was provided by RER in response to OCA's inquiry. RER's response has been bolded.

- Provide a list of the anticipated or slated film, television and still photography projects requiring use of the Town's facilities and the revenue expected to be generated associated with those projects; also, provide the projected revenue, if possible, for the term of the agreement; and
 - **Under the proposed Agreement, the Miami-Dade Office of Film and Entertainment will receive \$100.00 from each permit application for each film permit processed on behalf of the Town, which assists with the maintenance of the permitting system utilized by County staff. There is no list as it is not know in advance who will be applying for a permit.**
- The prior interlocal expired in 2013; explain the delay in renewing this agreement and the corresponding operational impact to the Town of Cutler Bay.
 - **The Town had previously entered into an Agreement with the County to provide film permitting services in 2013. That agreement has subsequently expired and it is the desire of the Town and the County to continue to provide those services. *The Town Council, through Resolution No. 18-08 adopted on January 17, 2018, authorized the Town Manager to execute the attached Agreement on behalf of the Town.***

APPLICABLE LEGISLATION/POLICY

Section 2-11.14 of the County Code provides for the coordination of film production on publicly-owned or controlled property to serve the public interest.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-11.14FIPRPUNECOPR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-11.14FIPRPUNECOPR)

BCC Meeting: September 4, 2019
Research Notes

Item No. 8N18
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)

This item was heard at the Transportation and Finance Committee meeting of July 15, 2019 and forwarded to the BCC meeting of September 4, 2019 with a favorable recommendation.

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.

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

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Researcher: MF Reviewer: TD

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 29, 2019.

Sunbiz.org	Tax Collector	Westlaw
Active; Established in 1991	\$75 payment due for 2020 tax year (as of August 1, 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).

Information about the County's Equitable Distribution Program may be accessed via ISD here:
<http://www.miamidade.gov/procurement/equitable-distribution.asp>

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Researcher: MF Reviewer: TD

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/miami-dade_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/miami-dade_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>

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Research Notes**

**Item No. 8N19
File No. 191603**

Researcher: PGE Reviewer: TD

RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CIMA ENGINEERING CORP. FOR CONSTRUCTION, ENGINEERING AND INSPECTION SERVICES FOR DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS, CONTRACT NO. CIP190-DTPW17-CEI (2), IN AN AMOUNT NOT TO EXCEED \$2,475,000.00, INCLUSIVE OF A CONTINGENCY ALLOWANCE OF \$225,000.00; AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE THE RIGHTS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the Professional Services Agreement (PSA) between the County and CIMA Engineering Corp. for construction, engineering and inspection services for the Department of Transportation and Public Works in an amount of \$2,475,000 for a five-year term and authorize the use of surtax funds for such purposes.

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Department of Transportation and Public Works

The item was considered at the July 15, 2019 meeting of the Infrastructure and Capital Improvements Committee wherein it was forwarded to the Board with a favorable recommendation.

ANALYSIS

The purpose of the PSA with CIMA Engineering Corp. (CIMA) is for the Department of Transportation and Public Works (DTPW) to obtain construction, engineering and inspection services in support of DTPW's Capital Improvement Plan. Under the PSA, CIMA shall manage and inspect work performed by selected consultants to ensure compliance with contract requirements, construction and design standards, plans and specifications. The scope of work encompasses design support, plans review, on-site inspection, quality control, contract administration, and preparation of construction cost estimates. Note that this is one of two PSAs on the agenda for the provision of comparable services. The other award is to A&P Consulting Transportation Engineers Corp.

The PSA value is \$2,475,000 for a five-year term. That value consists of a base estimate of \$2,250,000 and a contingency allowance of \$225,000. There are two project sites under the PSA – Site 1 is the SW quadrant of SW 8 ST and SW 147 AVE (estimated at \$1,076,723) and Site 2 is the Metrorail (estimated at \$1,398,277). The combined site estimates equals the PSA value.

As seen in the mayoral memorandum, the Fiscal Year (FY) 2018-19 Proposed Budget and Multi-Year Capital Plan Project # is 2000000104. The Capital Plan describes the project as to *refurbish and/or update systems control equipment, fire alarm systems and other improvements as needed throughout the entire rail system*. The funding sources for Fiscal Year 2018-19 are FDOT (\$437,000), FTA Section 5307/5309 Formula Grant (\$32,000), and People's Transportation Plan Bond Program (\$37,614,000). Total revenues show \$38,083,000.

This PSA also falls under Project # 6730101. The FY 2018-19 plan describes that project as to *purchase buses for route expansions and construct transit hubs as needed throughout the County*. The applicable funding sources are FTA Section 5307/5309 Formula Grant (\$2,014,000) and People's Transportation Plan Bond (\$509,000).

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File No. 191603

Researcher: PGE Reviewer: TD

The solicitation for this project was advertised on May 11, 2018. The solicitation sought to retain two qualified firms for two separate PSAs for construction, engineering and inspection services. Four proposals were received on June 12, 2018. The respondents were A&P Consulting, CIMA Engineering Corp., T.Y. Lin International, and Nova Consulting, Inc. Following the competitive selection process, CIMA was ranked second. There are two contract measures assigned to this project – DBE and SBE-A/E. The percentage of work associated with the measures is absent from the agenda item. The project’s subconsultants are: 305 Consulting Engineers, LLC; GCES Engineering Services, LLC; and Louis J. Aguirre & Associates, P.A.

According to an August 14, 2019 search on Sunbiz.org, the official State of Florida Division of Corporations website, CIMA is a Florida for-profit corporation with a principal address of 7420 SW 33 ST, Miami, Florida. The company holds a Certificate of Authorization and Construction Business Information license types, and the related license information shows Jose Gonzalez, CIMA’s president, as a professional engineer per information found on August 14, 2019 on the website of the Florida Department of Business & Professional Regulation.

Pursuant to Resolution No. R-421-16, a performance record verification was conducted in the Capital Improvements Information System on August 14, 2019, finding that CIMA has no evaluations on record.

DEPARTMENTAL INPUT

The following information was provided by DTPW in response to OCA’s inquiry. DTPW’s response has been bolded.

- Let us know if DTPW has in-house staff capable of delivering the needed construction, engineering and inspection (CEI) services for the upcoming projects.
No.
- If DTPW does have CEI services-skilled staff, what drove the decision to outsource the work?
N/A
- If DTPW does not have such staff, provide the operational rationale.
DTPW does not have additional full-time engineers/inspectors for these services and a qualified Special Inspector to monitor and sign-off on the permits. DTPW has staff to perform project management for transit projects. Due to the size and complexity of upcoming projects such as the South Corridor and the Dadeland South Station Improvements project and others, the need to CEI outsourcing is necessary.
- Explain what contract measures are applicable to the PSAs, including the percentage of work assigned to each subconsultant per PSA to fully satisfy the measures; and

Contract measures. In accordance with 49 CFR Part 26, neither of the work-order driven ‘PSAs’ have been assigned a DBE goal. Therefore, no applicable measures are applied, making the item- race-neutral. Race-neutral DBE participation is any time a DBE wins a prime contract through customary competitive procurement procedures or is awarded a subcontract on a prime contract that does not carry a DBE contract goal.

Percentage of Work. In the absence of a numerical DBE goal, the percentage of work agreed to must be carried out in accordance with 49 CFR Part 26. A prime, through race-neutral means, is able to select

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portions of work to be performed by DBEs in order to increase the likelihood of receiving DBE credit. This includes, where appropriate, breaking out contract work items into economically feasible units (for example, smaller tasks or quantities) to facilitate DBE participation, even when the prime contractor might otherwise prefer to perform these work items with its own forces. This may include, where possible, establishing flexible timeframes for performance and delivery schedules in a manner that encourages and facilitates DBE participation. Additionally, to ensure that DBEs are receiving work, DTPW's DBE Office requires that prime contractors to submit monthly copies of any and all financial payments made to DBEs and/or non-DBEs of work performed within their submitted invoices.

- Share the specific projects that A&P Consulting and CIMA will support during the five-year PSA term. The agreements are to procure construction engineering and inspection (CEI) services to assist and support the Department of Transportation and Public Works (DTPW) staff in managing and inspecting the various construction projects. Two contracts were requested due to the anticipated volume of work based on upcoming projects. Two consultant teams will ensure DTPW has available resources to provide CEI services. The projects that are being referenced in the agenda items, based on the funding sources identified include, but are not limited to:
 - Tamiami Park and Ride Facility – CE&I budget of \$1.2 million; Scheduled NTP December 2019
 - Panther Station – CE&I budget of \$860,000; Scheduled NTP November 2020
 - Dadeland South metro rail station improvements – CE&I budget of \$2.19 million; Scheduled NTP Sept. 2020
 - Dadeland North metro rail station parking garage improvements (including additional elevators) - CE&I budget of \$750,000; Scheduled NTP October 2020
 - Government Center metro rail station improvements - – CE&I budget of \$750,000; Scheduled NTP May 2021

The Park and Ride at SW 147 Avenue and SW 8 Street - This is a park and ride facility that is going through the award process for construction. The CE&I consultant will provide the special milestones inspections as required by the building permits as well as monitoring and inspecting the various construction activities ensuring compliance with all applicable permits and design plans conditions and specifications.

The Metrorail project(s) - This consists of monitoring the various construction activities that are planned for the improvements on the various Metrorail facilities such as upgrading and rehabilitation some of the stations along the rail line. These projects are at various stages of design and should be coming into the construction phase in the near future.

Note: The list of projects is what is anticipated at this point in time. DTPW staff will be able to use these contracts for construction projects that commence during the term of the contract that require CEI services.

ADDITIONAL INFORMATION

See the link below to access the Fiscal Year 2018-19 Proposed Budget and Multi-Year Capital Plan for the Department of Transportation and Public Works.

<http://www.miamidade.gov/budget/library/fy2018-19/proposed/transportation-and-public-works.pdf>

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Researcher: PGE Reviewer: TD

APPLICABLE LEGISLATION/POLICY

Federal Transit Administration FTA Circular 4220.1F provides contracting guidance for recipients of federal assistance awarded by the Federal Transit Administration when using that federal assistance to finance its procurements (third party contracts).

<https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Third%20Party%20Contracting%20Guidance%20%28Circular%204220.1F%29.pdf>

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

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

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

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

Section 29-124 of the County Code relates to the Citizens' Independent Transportation Trust and provides 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. 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

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Researcher: PGE Reviewer: TD

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 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

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>

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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Researcher: PGE Reviewer: TD

RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND A & P CONSULTING TRANSPORTATION ENGINEERS CORP. FOR CONSTRUCTION, ENGINEERING AND INSPECTION SERVICES FOR DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS, CONTRACT NO. CIP190-DTPW17-CEI (1), IN AN AMOUNT NOT TO EXCEED \$2,475,000.00, INCLUSIVE OF A CONTINGENCY ALLOWANCE OF \$225,000.00; AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE THE RIGHTS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the Professional Services Agreement (PSA) between the County and A&P Consulting Transportation Engineers Corp. for construction, engineering and inspection services for the Department of Transportation and Public Works in an amount of \$2,475,000 for a five-year term and authorize the use of surtax funds for such purposes.

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Department of Transportation and Public Works

The item was considered at the July 15, 2019 meeting of the Infrastructure and Capital Improvements Committee wherein it was forwarded to the Board with a favorable recommendation.

ANALYSIS

The purpose of the PSA with A&P Consulting Transportation Engineers Corp. (A&P Consulting) is for the Department of Transportation and Public Works (DTPW) to obtain construction, engineering and inspection services in support of DTPW's Capital Improvement Plan. Under the PSA, A&P Consulting shall manage and inspect work performed by selected consultants to ensure compliance with contract requirements, construction and design standards, plans and specifications. The scope of work encompasses design support, plans review, on-site inspection, quality control, contract administration, and preparation of construction cost estimates. Note that this is one of two PSAs on the agenda for the provision of comparable services. The other award is to CIMA Engineering Corp.

The PSA value is \$2,475,000 for a five-year term. That value consists of a base estimate of \$2,250,000 and a contingency allowance of \$225,000. There are two project sites under the PSA – Site 1 is the SW quadrant of SW 8 ST and SW 147 AVE (estimated at \$1,076,723) and Site 2 is the Metrorail (estimated at \$1,398,277). The combined site estimates equals the PSA value.

As seen in the mayoral memorandum, the Fiscal Year (FY) 2018-19 Proposed Budget and Multi-Year Capital Plan Project # is 2000000104. The Capital Plan describes the project as to *refurbish and/or update systems control equipment, fire alarm systems and other improvements as needed throughout the entire rail system*. The funding sources for Fiscal Year 2018-19 are FDOT (\$437,000), FTA Section 5307/5309 Formula Grant (\$32,000), and People's Transportation Plan Bond Program (\$37,614,000). Total revenues show \$38,083,000.

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This PSA also falls under Project # 6730101. The FY 2018-19 plan describes that project as to *purchase buses for route expansions and construct transit hubs as needed throughout the County*. The applicable funding sources are FTA Section 5307/5309 Formula Grant (\$2,014,000) and People's Transportation Plan Bond (\$509,000).

The solicitation for this project was advertised on May 11, 2018. The solicitation sought to retain two qualified firms for two separate PSAs for construction, engineering and inspection services. Four proposals were received on June 12, 2018. The respondents were A&P Consulting, CIMA Engineering Corp., T.Y. Lin International, and Nova Consulting, Inc. Following the competitive selection process, A&P Consulting was ranked first. There are two contract measures assigned to this project – DBE and SBE-A/E. The percentage of work associated with the measures is absent from the agenda item. The project's subconsultants are: 305 Consulting Engineers, LLC; NADIC Engineering Services, Inc.; and Pinnacle Consulting Enterprises, Inc.

According to an August 12, 2019 search on Sunbiz.org, the official State of Florida Division of Corporations website, A&P Consulting is a Florida for-profit corporation with a principal address of 8935 NW 35 Lane, Suite 200, Doral, Florida. The company's president is Antonio Acosta and the vice president is Carlos Gil-Mera. The company holds a Certificate of Authorization license type, and the related license information shows Carlos Perez as a professional engineer per information found on August 12, 2019 on the website of the Florida Department of Business & Professional Regulation (FL DBPR). Additionally, the FL DBPR shows the company's principals, Antonio Acosta and Carlos Gil-Mera, as holding an active professional engineer license.

Pursuant to Resolution No. R-421-16, a performance record verification was conducted in the Capital Improvements Information System (CIIS) on August 12, 2019, finding that A&P Consulting has an evaluation count of 29 with an average evaluation rating of 3.8 out of a possible 4.0. Note, however, that the CIIS shows a 2.4 rating from February, 17, 2009 for a Public Works Department project, *Contract No. 20030188*.

DEPARTMENTAL INPUT

The following information was provided by DTPW in response to OCA's inquiry. DTPW's response has been bolded.

- Let us know if DTPW has in-house staff capable of delivering the needed construction, engineering and inspection (CEI) services for the upcoming projects.

No.

- If DTPW does have CEI services-skilled staff, what drove the decision to outsource the work?

N/A

- If DTPW does not have such staff, provide the operational rationale.

DTPW does not have additional full-time engineers/inspectors for these services and a qualified Special Inspector to monitor and sign-off on the permits. DTPW has staff to perform project management for transit projects. Due to the size and complexity of upcoming projects such as the South Corridor and the Dadeland South Station Improvements project and others, the need to CEI outsourcing is necessary.

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- Explain what contract measures are applicable to the PSAs, including the percentage of work assigned to each subconsultant per PSA to fully satisfy the measures; and

Contract measures. In accordance with 49 CFR Part 26, neither of the work-order driven ‘PSAs’ have been assigned a DBE goal. Therefore, no applicable measures are applied, making the item- *race-neutral*. Race-neutral DBE participation is any time a DBE wins a prime contract through customary competitive procurement procedures or is awarded a subcontract on a prime contract that does not carry a DBE contract goal.

Percentage of Work. In the absence of a numerical DBE goal, the percentage of work agreed to must be carried out in accordance with 49 CFR Part 26. A prime, through race-neutral means, is able to select portions of work to be performed by DBEs in order to increase the likelihood of receiving DBE credit. This includes, where appropriate, breaking out contract work items into economically feasible units (for example, smaller tasks or quantities) to facilitate DBE participation, even when the prime contractor might otherwise prefer to perform these work items with its own forces. This may include, where possible, establishing flexible timeframes for performance and delivery schedules in a manner that encourages and facilitates DBE participation. Additionally, to ensure that DBEs are receiving work, DTPW’s DBE Office requires that prime contractors to submit monthly copies of any and all financial payments made to DBEs and/or non-DBEs of work performed within their submitted invoices.

- Share the specific projects that A&P Consulting and CIMA will support during the five-year PSA term.

The agreements are to procure construction engineering and inspection (CEI) services to assist and support the Department of Transportation and Public Works (DTPW) staff in managing and inspecting the various construction projects. Two contracts were requested due to the anticipated volume of work based on upcoming projects. Two consultant teams will ensure DTPW has available resources to provide CEI services. The projects that are being referenced in the agenda items, based on the funding sources identified include, but are not limited to:

- **Tamiami Park** and Ride Facility – CE&I budget of \$1.2 million; Scheduled NTP December 2019
- **Panther Station** – CE&I budget of \$860,000; Scheduled NTP November 2020
- **Dadeland South metro rail station improvements** – CE&I budget of \$2.19 million; Scheduled NTP Sept. 2020
- **Dadeland North metro rail station parking garage improvements (including additional elevators)** - CE&I budget of \$750,000; Scheduled NTP October 2020
- **Government Center metro rail station improvements** - – CE&I budget of \$750,000; Scheduled NTP May 2021

The Park and Ride at SW 147 Avenue and SW 8 Street - This is a park and ride facility that is going through the award process for construction. The CE&I consultant will provide the special milestones inspections as required by the building permits as well as monitoring and inspecting the various construction activities ensuring compliance with all applicable permits and design plans conditions and specifications.

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The Metrorail project(s) - This consists of monitoring the various construction activities that are planned for the improvements on the various Metrorail facilities such as upgrading and rehabilitation some of the stations along the rail line. These projects are at various stages of design and should be coming into the construction phase in the near future.

Note: The list of projects is what is anticipated at this point in time. DTPW staff will be able to use these contracts for construction projects that commence during the term of the contract that require CEI services.

ADDITIONAL INFORMATION

See the link below to access the Fiscal Year 2018-19 Proposed Budget and Multi-Year Capital Plan for the Department of Transportation and Public Works.

<http://www.miamidade.gov/budget/library/fy2018-19/proposed/transportation-and-public-works.pdf>

A&P Consulting's website describes the company as a multi-disciplinary consultant located in South Florida providing technical excellence in design and construction. Areas of expertise include civil engineering, transportation, water resources, environmental, structural, lighting, electrical, traffic studies, construction management, and CEI.

<https://www.apcte.com/about-us>

A&P Consulting was sued by Citizens Awareness Foundation, Inc. in the Eleventh Judicial Circuit of Florida for unlawfully denying the Plaintiff access to requested public records relating to a Florida Department of Transportation contract in violation of the Florida constitution as well as the Public Records Act. The complaint was filed on August 1, 2014 and voluntarily dismissed on February 6, 2015 (See Case No. 14020156CA01).

A&P Consulting, one of multiple Defendants, was sued by Pedro Cortes for gross negligence for failure to protect the workers from bodily injury, harm and death by failing to notify or communicate to the construction force/workers that cracks observed on the FIU pedestrian bridge were a safety concern. The complaint further alleged that A&P Consulting negligently and recklessly required employees to continue work on the bridge when known dangers existed. The complaint claimed that the Defendants failed to take all necessary precautions in order to prevent a catastrophic failure and collapse of the bridge. The complaint was filed on March 27, 2019 (See Case No. 2019-009436-CA-01).

APPLICABLE LEGISLATION/POLICY

Federal Transit Administration FTA Circular 4220.1F provides contracting guidance for recipients of federal assistance awarded by the Federal Transit Administration when using that federal assistance to finance its procurements (third party contracts).

<https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Third%20Party%20Contracting%20Guidance%20%28Circular%204220.1F%29.pdf>

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.

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[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)

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[https://library.municode.com/fl/miami -
dade county/codes/code of ordinances?nodeId=PTIICOOR CH29TA ARTXVIONHAONPECHCOTRSYSAS
UAUSE212.0551FLST2001 S29-124SPFUCRUSSUPPROCIINTRR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH29TA_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551FLST2001_S29-124SPFUCRUSSUPPROCIINTRR)

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.

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

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Researcher: PGE Reviewer: TD

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.

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

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

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

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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Item No. 9A1
File No. 191725

Researcher: LE Reviewer: TD

RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES ON BEHALF OF ITS CHAPMAN GRADUATE SCHOOL OF BUSINESS FOR THE PURCHASE OF AN EXECUTIVE AND MID-MANAGEMENT DEVELOPMENT PROGRAM FOR A ONE-YEAR TERM WITH A ONE-YEAR OPTION-TO-RENEW IN A TOTAL AMOUNT NOT TO EXCEED \$650,000; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND EXERCISE ANY AND ALL PROVISIONS THEREOF, INCLUDING THE EXERCISE THE RENEWAL AND TERMINATION PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve an intergovernmental agreement with Florida International University (FIU) Board of Trustees to purchase an Executive and Mid-Management Development Program, the Comprehensive Leadership Development Program (CLDP), for a one-year term and one one-year option to renew.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Human Resources

This item was forwarded to the BCC with a favorable recommendation during the Healthcare and County Operations (HCCO) meeting on July 17, 2019.

ANALYSIS

The purpose of this item is to approve an intergovernmental agreement between the County and the FIU Board of Trustees on behalf of the Chapman Graduate School of Business to purchase and provide a CLDP for a one-year term and one-year option to renew.

The contract will have a \$350,000 allocation for a one-year term and an additional \$300,000 for a one-year option to renew, with the cumulative value not to exceed \$650,000. The funding source will be the General Fund. The \$350,000 will cover the costs for final report of program outcomes, work order issued, identifying County participants, consulting with top leadership institutions and hiring faculty, finalizing program curriculum, food and drink logistics, delivering the program to the select County employees and delivering a follow-up session.

Pursuant to Resolution No. R-69-07, the Administration must explore contracting opportunities with local universities. On June 2007, Contract RFI25 was established to provide the County procurement for training services and develop executives and mid-managers for a ten-year period. The bid waiver gave awards to the University of Miami, Florida International University, Miami-Dade College and Barry University.

The County has had a partnership with FIU since 2017 providing County executives and mid-managers comprehensive and customized training programs to enhance their leadership, innovation, creativity, strategic vision, customer service, management skills, and employee development. Trainings were recently conducted in March 2017, April 2018, and April 2019.

The program has the following objectives:

- Instill a culture of risk-taking, collaboration, and innovation.

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File No. 191725

Researcher: LE Reviewer: TD

- Provide practical tools for self-management, teamwork, and communication.
- Enhance dynamics among departments, commissioners, and constituents.
- Promote physically and mentally beneficial habits to encourage sustained effectiveness and maximize performance.
- Strengthen an organizational vision.
- Identify improvements to the County's Leadership Program.

DEPARTMENTAL INPUT

On July 16, 2019, OCA asked the following questions to the Human Resources Department and received the following answers:

- **How many people have been trained and from which departments?**

The program has trained 130 executives/managers from various departments. Such departments include Audit and Management, Animal Services, Aviation, Community Action and Human Services, Communications, Corrections, Cultural Affairs, Transportation and Public Works, Elections, Finance, Human Resources, Internal Services, Information Technology, Juvenile Services, Library, Mayor's Office, Corrections and Rehabilitation, Miami-Dade Fire Rescue, Medical Examiner, Office of Management and Budget, Police, Parks, Recreation and Open Spaces, Regulatory and Economic Resources, Seaport, Solid Waste Management, and Water and Sewer.

- **Are there other municipalities that have a similar interlocal agreement with local universities?**

Manatee County and the University of Florida has a similar interlocal agreement related to the provision of education/consultation services. In Miami-Dade County, Resolution No. R-997-17, adopted on November 7, 2017, approves an interlocal agreement between the County and FIU on behalf of the Small Business Development Center to support expanded services for small business in the community.

APPLICABLE LEGISLATION/POLICY

Section 2-9 of the County Code relates to contracts with municipalities or governmental units for services.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-9COMUGOUNSEUTMA

Section 2-10 of the County Code states that contracts authorized under Section 2-9 of the Code shall be entered into subject to ratification by the County Commission and such contract cannot be extended for a period longer than one year without authorization.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-10SAATBODUFI

Resolution No. R-69-07, adopted January 25, 2007, directs the County explore opportunities to enter into interlocal agreements with local universities for the provision of services required by the County.

<http://intra/gia/matter.asp?matter=062949&file=true&yearFolder=Y2006>

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Item No. 14A16
File No. 191921

Researcher: JJ Reviewer: TD

ORDINANCE CREATING THE CENTURY PARK SOUTH COMMUNITY DEVELOPMENT DISTRICT

ISSUE/REQUESTED ACTION

N/A

PROCEDURAL HISTORY

Prime Sponsor:

Department/Requester:

ANALYSIS

OCA completed the required background research regarding the appointment of Pedro Hernandez, Florence Laygre, Diana M. Manso, Sandra M. Albo, and Eleine Rojas to the Century Park South Community Development District Board of Supervisors noting no adverse findings.

APPLICABLE LEGISLATION

Resolution No. R-636-14, adopted on July 1, 2014, requires the Office of the Commission Auditor (OCA) to complete background research on applicants being considered to serve on County Boards and Trusts that require nominations and/or appointments by the Board of County Commissioners (BCC).

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Item No. 15C1
File No. 191998

Researcher: JJ Reviewer: TD

APPOINTMENT OF MR. HENRY R. DUBE TO THE MIAMI-DADE MILLENIAL TASK FORCE

ISSUE/REQUESTED ACTION

N/A

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: N/A

ANALYSIS

OCA completed the required background research regarding the appointment of Mr. Henry R. Dube to serve as a member of the Miami-Dade Millennial Task Force noting no adverse findings.

APPLICABLE LEGISLATION

Resolution No. R-636-14, adopted on July 1, 2014, requires the Office of the Commission Auditor (OCA) to complete background research on applicants being considered to serve on County Boards and Trusts that require nominations and/or appointments by the Board of County Commissioners (BCC).

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Item No. 15C2
File No. 192123

Researcher: JJ Reviewer: TD

APPOINTMENT OF MS. CORION J. DELAINE TO THE MIAMI-DADE MILLENIAL TASK FORCE

ISSUE/REQUESTED ACTION

N/A

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: N/A

ANALYSIS

OCA completed the required background research regarding the appointment of Corion J. Delaine to serve as a member of the Miami-Dade Millennial Task Force noting no adverse findings.

APPLICABLE LEGISLATION

Resolution No. R-636-14, adopted on July 1, 2014, requires the Office of the Commission Auditor (OCA) to complete background research on applicants being considered to serve on County Boards and Trusts that require nominations and/or appointments by the Board of County Commissioners (BCC).