



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

**Tourism & Ports (TAPS) Committee Meeting**

September 12, 2019  
2:00 P.M.  
Commission Chambers

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

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**TAPS Committee Meeting:  
September 12, 2019  
Research Notes**

**Item No. 3A  
File No. 192100**

**Researcher: IL Reviewer: TD**

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND LOUIS J. AGUIRRE & ASSOCIATES, P.A.; FOR GENERAL MEP ENGINEERING & DESIGN SERVICES, CONTRACT NO. E17-MDAD-02B-1 IN AN AMOUNT NOT TO EXCEED \$2,205,500.00 FOR A TERM OF FIVE YEARS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE TERMINATION PROVISIONS CONTAINED THEREIN [SEE FILE NOS. 192097 AND 192099]

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the award and execution of a Non-Exclusive Professional Services Agreement (PSA) with Louis J. Aguirre & Associates, P.A., to provide general Mechanical, Electrical and Plumbing (MEP) engineering & design services in the amount not to exceed \$2,205,500.00 for a term of five (5) years for the Miami-Dade Aviation Department (MDAD).

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Aviation Department (MDAD)**

There is no procedural history for this item.

**ANALYSIS**

The purpose of this item is to request that the Board approve a PSA with Louis J. Aguirre & Associates, P.A., for MEP engineering and design services. This is a companion item to 3E and 3H also scheduled for this committee.

MDAD requires improvements of MEP and fire suppression systems as well as paging systems and evaluations of air conditioning mechanical rooms at Miami International Airport, Miami-Opa Locka Executive Airport, Miami Homestead General Aviation Airport, Miami Executive Airport and at Dade-Collier Training and transition Airport.

The Fiscal Impact to the County for this particulate project is \$2,205,000 for a term of five (5) years. The project will take place Countywide. The funding source is from the "Reserve Maintenance Fund / Future Aviation Financing / Operating Fund Multi – Year Project No. 2000000068 MIA Support Projects, 2000000094 MIA Concourse E Rehabilitation and Operating funds.

A list of some of the main canons for the scope of services are:

- A. Louis J. Aguirre & Associates, P.A., shall design facilities that have common boundaries, surfaces, spaces, or that otherwise interface with other facilities or operations being designed, constructed, or operated by others not a part of this agreement and shall also include the coordination of such design.
- B. Louis J. Aguirre & Associates, P.A. shall design interim/temporary facilities included in the Project Budget with the necessary associated facilities to accommodate operations, pedestrian and/or vehicular traffic, tenants or concessionaires, as needed during construction.
- C. Louis J. Aguirre & Associates, P.A. shall provide construction cost (including construction contingency allowance), broken down by specification sections or unit prices, shall include any adjustments necessary for projected award dates, changes in requirements, or general market conditions.

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A Request to advertise was filed with the Clerk of the Board on March 29, 2018, under full and open competition. On October 10, 2018, the Clerk of the Board received 11 proposals in response to the solicitation.

The first tier meeting was held on March 4, 2019; eleven firms were evaluated and the Competitive Selection Committee (CSC) ranked Louis J. Aguirre & Associates, P.A., as the highest ranking firm out of the eleven proposals submitted. The CSC voted by majority, not to hold a Second Tier meeting and to recommend Louis J. Aguirre & Associates, P.A., for negotiation and award. Negotiations concluded on June 28, 2019.

Below is the list of respondents for the advertised project and their final ranking after the first tier meeting.

<b>Firm</b>	<b>Principal Address per Sunbiz</b>	<b>Final Ranking</b>
Louis J. Aguirre & Associates, P.A.	9150 South Dadeland Blvd. Suite 900, Miami, FL 33156	1
A.D.A. Engineering, Inc.	8550 NW 33 Street, Suite 202, Miami, FL 33122	2
Gartek Engineering Corporation	7210 SW 39 <sup>th</sup> Terrace, Miami, FL 33155	3
Initial Engineers, P.A.	7145 SW 42 Terrace, Miami, FL 33155	4
TLC Engineering for Architecture, Inc.	255 South Orange Avenue, Suite 1600, Orlando, FL 32801	5
Wolfberg Alvarez & Partners, Inc.	75 Aviation Avenue, Suite 1050, Coral Gables, FL 33134	6
Graef-USA Inc.	125 S. 84 <sup>th</sup> Street, Suite 401, Milwaukee, WI 53214	7
Louis Berger U.S., Inc.	412 Mount Kemble Avenue, Morristown, NJ 07960	8
Fraga Engineers, LLC	135 San Lorenzo Avenue, Suite 890, Coral Gables, FL 33146	9
STV Incorporated	225 Park Avenue South, New York, NY 10003	10
Procon Engineering, Inc.	7240 SW 39 Terrace, Miami, FL 33155	11

The Small Business Development Division recommended a 100 % SBE-A&E goal and a 1% SBE G&S goal. The SBE- A&E goal will be met by Louis J. Aguirre & Associates P.A., and the SBE-G&S will be met by sub-consultant Go Green Document Solutions, Inc. Only the firm Louis J. Aguirre & Associates P.A. appears as a verified certified SBE firm in the Business Management Workforce System (BMWS). However, Go Green Document Solutions was verified by SBD in the Compliance Review memorandum.

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OCA conducted a review of the technical certifications associated with the project on the Business Management Workforce System (BMWS) on September 10, 2019: (See the table below)

Prime/Other	Code	Description	Amount of SBE A/E firms identified in BMWS
Prime	4.01	Aviation Systems - Engineering	33 SBE A/E firms were identified.
Other	12.00	General Mechanical Engineering	None
Other	13.00	General Electrical Engineering	None
Other	17.00	Engineering Construction Management	None

OCA conducted a review on September 10, 2019 of Louis J. Aguirre & Associates, P.A. and found that it has an active status on Sunbiz, (the official website of the Division of Corporations of the State of Florida) with a principal address of 9150 South Dadeland Blvd., Suite 900, Miami, FL 33156.

The table below summarizes OCA's review of the selected firm.

Firm Name	Sunbiz	DBPR	BBB	West Law	Tax Collector	Local
Louis J. Aguirre & Associates, P.A.	Active as of January 8, 1990.	License type: Certificate of Authorization. Active, no complaints on file.	None on file	No relevant cases	One account on file. Current Principal Address: 9150 S. Dadeland Blvd, 900, Miami, FL 33156	Yes
Go Green Document Solutions, Inc.	Active as of December 22, 2010	None on file	None on file	No cases	Two accounts on file. Current Principal Address: 3715 Grand Ave, Miami, FL 33133	Yes

Pursuant to Resolution No. R-421-16, a Performance Record verification was conducted by OCA in the Capital Improvements Information System (CIIS) on September 10, 2019. The verification revealed 4 performance evaluations in the Capital Improvements Information Systems Database for Louis J. Aguirre & Associates, P.A., yielding an average evaluation rating of 3.9 out of 4.0.

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**ADDITIONAL INFORMATION:**

Louis J. Aguirre & Associates, P.A. has performed a litany of projects at Miami International Airport and a few at Orlando International Airport

<https://www.ljaapa.com/portfolio.html> (Aviation section)

**APPLICABLE LEGISLATION/POLICY**

**Chapter 212.055 of the Florida Statutes**, Discretionary sales surtaxes, legislative intent; authorization and use of proceeds, d) Proceeds from the surtax shall be applied to as many or as few of the uses enumerated below in whatever combination the county commission deems appropriate, Used by the county for the development, construction, operation, and maintenance of roads and bridges in the county; for the expansion, operation, and maintenance of bus and fixed guideway systems; for the expansion, operation, and maintenance of on-demand transportation services; and for the payment of principal and interest on bonds issued for the construction of fixed guideway rapid transit systems, bus systems, roads, or bridges; and such proceeds may be pledged by the governing body of the county for bonds issued to refinance existing bonds or new bonds issued for the construction of such fixed guideway rapid transit systems, bus systems, roads, or bridges and no more than 25 percent used for non-transit uses;

[http://www.leg.state.fl.us/STATUTES/index.cfm?App\\_mode=Display\\_Statute&URL=0200-0299/0212/Sections/0212.055.html](http://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&URL=0200-0299/0212/Sections/0212.055.html)

**Chapter 287 of the Florida Statutes**, Acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services; definitions; procedures; contingent fees prohibited; penalties, will govern how each agency shall publicly announce, in a uniform and consistent manner, each occasion when professional services must be purchased for a project the basic construction cost of which is estimated by the agency to exceed the threshold amount provided in s. 287.017 for CATEGORY FIVE or for a planning or study activity when the fee for professional services exceeds the threshold amount provided in s. 287.017 for CATEGORY TWO, except in cases of valid public emergencies certified by the agency head. The public notice must include a general description of the project and must indicate how interested consultants may apply for consideration.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0200-0299/0287/Sections/0287.055.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0287/Sections/0287.055.html)

**Florida Administrative Code Chapters 62-780**, provide the contaminated site clean-up criteria.

<https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-780>

**Section 2-8.1 of the Miami-Dade County Code** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials, and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

[https://library.municode.com/fl/miami-dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Section 29-124(f) of the Miami-Dade County Code** (Special fund created; uses of surtax proceeds; and role of Citizens' Independent Transportation Trust) Requires CITT review of contracts funded by the People's Transportation Plan or for contracts with a Transit allocation that exceeds \$1 million.

[https://library.municode.com/fl/miami-dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH29TA\\_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551\\_FLST2001\\_S29-124SPFUCRUSSUPRROCIINTRTR](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH29TA_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551_FLST2001_S29-124SPFUCRUSSUPRROCIINTRTR)

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**Section 2-11.1 of the Miami-Dade County Code** creates a minimum standard of ethical conduct and behavior for all County officials, officers, and employees.

[https://library.municode.com/fl/miami-dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIIICOR\\_CH2AD\\_ARTIINGE\\_S2-11.1COINCOETOR](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-11.1COINCOETOR)

**Section 2-10.4 of the Miami-Dade County Code** provides, the rules and regulations associated with the procurement of professional, architectural, engineering, landscape architectural or land surveying and mapping services. Requires a public announcement, submission of qualifications, certification committee, competitive selection committee, and competitive negotiations.

[https://library.municode.com/fl/miami-dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIIICOR\\_CH2AD\\_ARTIINGE\\_S2-10.4ACPRARENLAARLASUMASE](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE)

**Ordinance 00-65** adopted May 23, 2000 (involving the expenditures of more than \$500,000.00) any contract for the construction of public improvements and any professional service agreement involving the expenditure of more than \$500,000, an item shall be added to the advertisement recommendation memorandum presented by the County Manager to the Board of County Commissioners identifying (1) each proposed 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 proposed dedicated allowance, contingency allowance and additional services allowance in relation to the estimated contract price.

<http://intra/gia/matter.asp?matter=001521&file=false&yearFolder=Y2000>

**Ordinance No. 02-116**, adopted July 9, 2002, Levying and Imposing a one half of one percent Charter County Transit System Surtax authorized By Section 212.055(1), Florida Statutes (2001) on all transactions occurring in Miami-Dade County otherwise subject to the State Tax imposed on sales, use, rentals, admissions and other transactions by Chapter 212, Florida Statutes (2001); Providing exceptions; providing limitations and procedures for administration and collection; providing for use of surtax proceeds; granting Citizens' Independent Transportation Trust certain powers over the use and expenditure of surtax proceeds; expressing intent to maintain current level of general fund support for MDTA in subsequent fiscal years;

<http://intra/gia/matter.asp?matter=022196&file=false&yearFolder=Y2002>

**Implementation Order (I.O.) 3-41**, (SBE Program), establishes procedures related to the Miami-Dade County Small Business Enterprise Program.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-41.pdf>

**Implementing Order (I.O.) 2-13**, (Guidelines and Procedures to pertaining to legal opinions in County competitive process), any contract in an amount which exceeds the threshold pursuant to Section 2-8.1 of the Code of Miami-Dade County will require the County Attorney's Opinion shall be in writing and submitted to the Board of County Commissioners along with the award recommendation.

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

**Implementing Order (I.O.) 3-34** (Formation and Performance of Selection Committees) Notwithstanding any contrary provision of any other Administrative Order or Implementing Order, this Implementing Order establishes procedures for the formation and performance of selection committees in the competitive procurement process of Miami-Dade County, including competitive selection committees utilized in the acquisition of architectural and engineering (A&E) professional services under Section 287.055 of the Florida Statutes.

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

**Implementing Order (I.O.) 3-32**, (Small Business Enterprise Architecture And Engineering Program): It is the policy of Miami-Dade County that not less than 10% of the County's total annual expenditures of all project specific contracts for professional architectural, landscape architectural, engineering, and surveying and mapping services, shall be expended with CBE-A/E's certified under the CBE-A/E ordinance.

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

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

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

**Resolution No. R-421-16**, adopted May 17, 2016, requires the County Mayor or Mayor's designee to attach a list of all County Contracts awarded in the previous 3 years to the recommended contractor and summary of evaluations for Design and/or Construction Contract Awards of \$1,000,000.00 or greater.

<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>



**TAPS Committee Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3B**

**File No. 192097 [Related File No. 192099]**

**Researcher: MF Reviewer: TD**

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND GARTEK ENGINEERING CORPORATION; FOR GENERAL MEP ENGINEERING & DESIGN SERVICES, CONTRACT NO. E17-MDAD-02B-2 IN AN AMOUNT NOT TO EXCEED \$2,205,500 FOR A TERM OF FIVE YEARS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE TERMINATION PROVISIONS CONTAINED THEREIN [SEE FILE NOS. 192099 AND 19100]

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize approval of a contract to Gartek Engineering Corporation for up to \$2,205,500 with a term of five years for professional services agreement for General Mechanical, Electrical, Plumbing Engineering and Design Services.

**PROCEDURAL HISTORY**

**Prime Sponsor:** None

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

**ANALYSIS**

The proposed resolution requests Board approval to award Contract No. E17-MDAD-02B-2 in the amount of \$2,205,500 for a five-year term with no renewal options, for professional engineering and design services.

The fiscal impact is \$2,205,500 for a five-year term. The scope of services consists of renovations and improvements of mechanical, electrical, plumbing and fire suppression systems, to include paging systems and evaluations of air conditioning mechanical rooms at Miami International Airport, Opa-Locka Executive Airport, Miami Homestead General Aviation Airport, Miami Executive Airport, and Dade-Collier Training and Transition Airport.

A Request to Advertise (RTA) was filed on March 29, 2018, and a total of 11 proposals were received on October 10, 2018. Per the mayor's memo, a meeting with the Competitive Selection Committee was conducted and the firms were ranked accordingly. The Negotiation Committee reached negotiations with Gartek Engineering Corporation, the third ranked firm (with a score of 257). Both Gartek and the subcontractor, Go Green Document Solutions, Inc., are SBE G&S firms.

The Capital Improvements Information System shows three project evaluations for Gartek Engineering Corporation with an average rating of 3.7 out of 4.0 total possible points. The second-ranked firm, A.D.A. Engineering Inc. (with a score of 264), was precluded from this contract award because the firm was ranked the highest and is under a separate solicitation issued for Project No. E17-MDAD-02A.

OCA performed due diligence on the selected firm, Gartek Engineering Corporation, and the subcontractor, Go Green Document Solutions Inc., on September 11, 2019.

<b>Firm</b>	<b>Sunbiz</b>	<b>Tax Collector</b>	<b>Westlaw</b>
Gartek Engineering Corporation  <i>Location:</i> 7210 SW 39 Terr., Miami, FL	Active; Established 1980	Paid	No relevant cases

**TAPS Committee Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3B**

**File No. 192097 [Related File No. 192099]**

**Researcher: MF Reviewer: TD**

Go Green Document Solutions, Inc.  <i>Location: 3715 Grand Ave., Miami, FL</i>	Active; Established 2010	Paid	No cases found
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**DEPARTMENTAL INPUT**

OCA requested the following information from MDAD on September 11, 2019; the Department responded the same day and the answers are shown in bold.

- Provide further information on the decision by the Selection Committee to select the third-ranked firm award of the contract; Provide details to exclude the first-ranked firm, Louis J. Aguirre & Associates, from the award. **There are three identical award recommendations on the agenda. Louis Aguirre & Associates, ADA Engineering, and Gartek Engineering. However, because the goals differed on one of the solicitations (Tier 3 Set-Aside) the agreements were advertised under two separate solicitation packages.**
- Indicate why this type of work cannot be conducted using in-house engineers.  
**MDAD does not have the in-house capacity for these type of services aviation system wide.**

**APPLICABLE LEGISLATION/POLICY**

**Section 2-10.4 of the Code of Miami-Dade County**, (Acquisition of professional architectural, engineering, landscape architectural or land surveying and mapping services). All project grouping contracts shall be subject to the approval of the County Manager or his designated representative to ensure compatibility and compliance with the Equitable Distribution Program.

[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/legistarfiles/MinMatters/Y2012/120287min.pdf>

**TAPS Committee Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3C**

**File No. 192099 [Related File No. 192097]**

**Researcher: MF Reviewer: TD**

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND A.D.A. ENGINEERING, INC.; FOR GENERAL MEP ENGINEERING & DESIGN SERVICES, CONTRACT NO. E17-MDAD-02A IN AN AMOUNT NOT TO EXCEED \$2,205,500 FOR A TERM OF FIVE YEARS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE TERMINATION PROVISIONS CONTAINED THEREIN [SEE FILE NOS. 192097 AND 192100]

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize approval of a contract to A.D.A. Engineering Inc. for up to \$2,205,500 with a term of five years for professional services agreement for General Mechanical, Electrical, and Plumbing Engineering and Design Services.

**PROCEDURAL HISTORY**

**Prime Sponsor:** None

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

**ANALYSIS**

The proposed resolution requests Board approval to award Contract No. E17-MDAD-02A-2 in the amount of \$2,205,500 for a five-year term with no renewal options, for professional engineering and design services.

The fiscal impact is \$2,205,500 for a five-year term. The scope of services consists of renovations and improvements of mechanical, electrical, plumbing and fire suppression systems, to include paging systems and evaluations of air conditioning mechanical rooms at Miami International Airport, Opa-Locka Executive Airport, Miami Homestead General Aviation Airport, Miami Executive Airport, and Dade-Collier Training and Transition Airport.

A Request to Advertise (RTA) was filed on March 29, 2018, and a total of seven proposals were received on October 10, 2018. Per the mayor's memo, a meeting with the Competitive Selection Committee was conducted and the firms were ranked accordingly. The Negotiation Committee reached negotiations with A.D.A. Engineering Inc., the highest-ranked firm (with a score of 263). Both A.D.A. Engineering Inc., and the subcontractor, Doral Digital Reprographics Crops., are SBE G&S firms.

The requestor department indicates the selected firm, A.D.A. Engineering, Inc. was previously awarded two Equitable Distribution Program Agreements and one Professional Services Agreement with the County, totaling \$3,700,000. The Capital Improvements Information System shows 16 project evaluations for A.D.A. Engineering with an average rating of 3.7 out of 4.0 total possible points.

OCA performed due diligence on the selected firm, A.D.A. Engineering Inc., and the subcontractor, Doral Digital Reprographics Corp., on September 11, 2019.

<b>Firm</b>	<b>Sunbiz</b>	<b>Tax Collector</b>	<b>Westlaw</b>
A.D.A Engineering, Inc.  <i>Location:</i> 8550 NW 33 St., Doral, FL 33122	Active; Established 1981	Paid	No cases found

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**Item No. 3C**

**File No. 192099 [Related File No. 192097]**

**Researcher: MF Reviewer: TD**

Doral Digital Reprographics Corp.  <i>Location: 5701 NW 79 Ave., Doral FL</i>	Active; Established 2006	Paid	No relevant cases
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**DEPARTMENTAL INPUT**

OCA requested the following information from MDAD on September 11, 2019; the Department responded the same day and the answer is shown in bold.

- Indicate why this type of work cannot be conducted using in-house engineers.  
**MDAD does not have the in-house capacity for these type of services aviation system wide.**

**APPLICABLE LEGISLATION/POLICY**

**Section 2-10.4 of the Code of Miami-Dade County**, (Acquisition of professional architectural, engineering, landscape architectural or land surveying and mapping services). All project grouping contracts shall be subject to the approval of the County Manager or his designated representative to ensure compatibility and compliance with the Equitable Distribution Program.

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**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>

**TAPS Committee Meeting:  
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Research Notes**

**Item No. 3F  
File No. 192082**

**Researcher: IL Reviewer: TD**

RESOLUTION AUTHORIZING AND RATIFYING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; RATIFYING AN EMERGENCY PURCHASE IN AN AMOUNT NOT TO EXCEED \$2,226,368.00 AND AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY FOR 12 MONTHS COMMENCING FEBRUARY 1, 2019 TO CONTRACT NOS. RFP-MDAD-09-06-AVA, JANITORIAL SERVICES ZONE 1, RFP-MDAD-09-06-AVB, JANITORIAL SERVICES ZONE 2, AND RFP-MDAD-09-06-AVC, JANITORIAL SERVICES ZONE 3, FOR JANITORIAL SERVICES FOR THE MIAMI-DADE AVIATION DEPARTMENT; 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 ratify and authorize the designated purchase of three (3) emergency contract extensions totaling \$2,226,368 for Contract No. RFP-MDAD-09-06-AVA, for Zone 1, RFP-MDAD-09-06-AVB, for Zone 2 and RFP-MDAD-09-06-AVC, Zone 3 for the Miami-Dade Aviation Department (MDAD).

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department (ISD)**

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

**ANALYSIS**

The purpose of this resolution is to approve and authorize the designated purchase of 3 contracts and emergency purchase in an amount not to exceed \$2,226,368 and authorizing an additional expenditure authority for 12 months retroactively commencing from February 1, 2019 for Zone 1-3 under Contract No(s). RFP-MDAD-09-06-AVA (Zone 1), RFP-MDAD-09-06-AVB (Zone 2) and RFP-MDAD-09-06-AVE (Zone 3) for Janitorial Services.

The Fiscal Impact is \$2,226,368 extending services through January 31, 2020.

MDAD is currently evaluating the replacement contract for main terminal area formerly known as Zone 1, which was bifurcated into two smaller zones to enhance competition. The replacement contract was advertised on December 24, 2018 and proposals were submitted on May 31, 2019. The replacement contract for Zone 2 was advertised on June 7, 2019 and the submittals were due on August 16, 2019. The replacement contract for Zone 3 was scheduled to be advertised sometime in August 2019.

Pursuant to resolution No. R-718-17, re-procurement of existing County contracts should commence planning no later than 18 months prior to the expiration of contracts. The re-procurement of these contracts does not appear to be in compliance with the aforementioned resolution. MDAD declared the emergency on January 30, 2019 in order to secure that janitorial services would be provided through January 31, 2020 at Miami International Airport (MIA) and the three general aviation airports and non-terminal facilities. In accordance with Resolution No. 454-13, the administration is to bring emergency contract ratifications to the Board within 120 days of such emergency. OCA's observation is that this item is being brought before the Board after the mandated time window allotted by resolution. Approval of the time and monetary extension will allow MDAD to finalize the procurement of the replacement contracts.

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OCA conducted a review of the three firms on various portals on September 10, 2019. (See below)

Firm Name	Sunbiz	DBPR	BBB	West Law	Tax Collector	Local
C&W Facility Services, Inc. d/b/a C&W Services	Active Principal Address: 275 Grove Street, Suite 3-200, Aburndale, MA 02466	Slot Machine Business License, A Warning Letter was Issued on June 9, 2012, Status Closed.	No information	No cases	Three accounts paid and current. Principal Address: 275 Grove St, STE 3-200, Auburndale, MA 02466	No
N & K Enterprises, Inc.	Active Principal Address: 147 Alhambra Circle, Suite 220, Coral Gables, FL 33134	No information found	No information	Tort case on file Rios, Rubby v. N & K Enterprises Inc. Disposition: Voluntary dismissal Case No. 2010-057827-CA-01	Two accounts paid and current. Principal Address: 147 Alhambra Circle, Suite 220, Coral Gables, FL 33134	Yes
Vista Building Maintenance Services, Inc.	Active Principal Address: 8200 Coral Way, Miami, FL 33155	No information	A+ Rating with BBB, 0 Customer Complaints and 0 Customer Reviews	1. Carmen J. Oliveras v. Vista Building Maintenance Services, Inc., due to slip and fall filed on May 18, 2019. Disposition is pending. Case No. 2019-015083-CA-01  2. Dennise Suarez v. Vista Building Maintenance Services, Inc., Tort/Negligence claim, filed on 12/21/2017. Disposition pending. Case No. 2017-029436-CA-01	One account paid and current. Principal Address: 8200 Coral Way, Miami, FL 33155	Yes

OCA performed a search for commodity code 91039: (Janitorial Services) on the Business Management Workforce System's Certified Vendor Directory on September 10, 2019. 65 local SBE-G&S certified firms were found on the Business Management Workforce System under the aforementioned code.

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1(b)(3) of the Code of Miami-Dade County** (*Procedures for purchases when competitive procedures are not practicable*), Notwithstanding the requirements of section 2-8.1(b)(1), formal sealed bids for purchase of goods or services shall not be required where such formal sealed bids would not be practicable as set forth herein. Designated Purchase shall mean a purchase within the scope of this section when the purchase through the use of formal sealed bids is not practicable, including, but not limited to: (i) sole source purchases, (ii) services where no competition exists such as public utility services, (iii) where purchases or rates are fixed by law or ordinance, (iv) unique professional or artistic services not governed by the Consultants' Competitive Negotiations Act, section 287.055, Florida Statutes, (v) purchases of goods and services necessary to address an emergency, or where additional formal competition would not be practicable, and (vi) solicitations where only a

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single proposer has responded to a competitive solicitation but such response contains material defects and the County still desires to enter into a contract with such proposer.

Any recommendation by the Mayor for the award of a Designated Purchase shall at a minimum: (i) provide a written explanation of why the purchase through formal sealed bids would not be practicable under the circumstances and is in the best interest of the County, (ii) provide a written explanation of the process followed resulting in the recommendation for a Designated Purchase, and (iii) provide a written description of any informal competition conducted and any and all efforts to obtain a valuation of the recommended purchase. The Board of County Commissioners shall adopt any resolution authorizing a Designated Purchase by a two-thirds vote of the members present.

[https://library.municode.com/fl/miami\\_miami\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami_miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Resolution No. R-19-09**, adopted January 22, 2009, approves an award of a non-exclusive agreement for janitorial services at Miami-Dade County Aviation Department facilities between N & K Enterprises, Inc. and Miami-Dade County, for a three (3) year period and for the estimated first year amount of \$2,495,469 subject to adjustment for changes in reimbursable amounts, providing for a five (5) one (1) year options to renew.

<http://www.miamidade.gov/govaction/matter.asp?matter=083456&file=true&fileAnalysis=false&yearFolder=Y2008>

**Resolution No. R-20-09**, adopted January 22, 2009, approves an award of a non-exclusive agreement for janitorial services at Miami-Dade County Aviation Department facilities between Vista Building Maintenance Services, Inc. and Miami-Dade County, for a three (3) year period and for the estimated first year amount of \$2,495,469 subject to adjustment for changes in reimbursable amounts, providing for a five (5) one (1) year options to renew.

<http://www.miamidade.gov/govaction/matter.asp?matter=083457&file=true&fileAnalysis=false&yearFolder=Y2008>

**Resolution No. R-21-09**, adopted January 22, 2009, approves an award of a non-exclusive agreement for janitorial services at Miami-Dade County Aviation Department facilities between Unicco Service Company D/B/A UGL Unicco and Miami-Dade County, for a three (3) year period and for the estimated first year amount of \$2,495,469 subject to adjustment for changes in reimbursable amounts, providing for a five (5) one (1) year options to renew.

<http://www.miamidade.gov/govaction/matter.asp?matter=083607&file=true&fileAnalysis=false&yearFolder=Y2008>

**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-454-13**, adopted on May 22, 2013, directs the County Mayor to bring emergency contract ratifications to the Board within 120 days of such emergency and bring retro-active contract modifications to the Board within 120 days of modification.

<http://www.miamidade.gov/govaction/matter.asp?matter=131016&file=true&fileAnalysis=false&yearFolder=Y2013>

**Resolution No. R-140-15**, adopted 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 scopes of services or goods requested to ensure such contracts reflect the current needs of the County, to include information in recommendations to the board, and to consult with the Small Business Development Division regarding solicitation and contract language.

<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>



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**Resolution No. R-113-16**, adopted February 2, 2016, authorizing the designated purchases of equipment and services for the furnishing, delivery, and/or installation of playground and park equipment, with a total contractual authority of \$4,000,000.00 in the aggregate and \$350,000.00 per project funded in part from the building better communities general obligation bond program, for a period of three (3) years.

<http://www.miamidade.gov/govaction/matter.asp?matter=152876&file=true&fileAnalysis=false&yearFolder=Y2015>

**Resolution No. R-679-17**, adopted June 6, 2017, authorized the designated purchase, authorizing award of additional time on a month-to-month basis up to one year under Contract No. MDAD-09-06 for non-exclusive management agreements for the janitorial services agreements for the Miami-Dade Aviation department for Zone 1 in an amount not to exceed \$27,000,000 to C&W facility services, Inc. zone 2 in an amount not to exceed \$3,800,000 to N&K Enterprises, Inc. and Zone 3 in an amount not to exceed \$2,650,000 to Vista Building maintenance services Inc.

<http://www.miamidade.gov/govaction/matter.asp?matter=171687&file=true&fileAnalysis=false&yearFolder=Y2017>

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

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

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

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

**Implementing Order No. 3-38** sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; 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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**File No. 192095**

**Researcher: JFP Reviewer: TD**

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$3,548,765.00 FOR A MODIFIED CONTRACT AMOUNT OF \$27,657,287.00 FOR THE OPTION TO RENEW TERMS OF CONTRACT NO. BW9330-5/20-4 FOR THE PURCHASE OF MAINTENANCE SERVICES FOR AUTOMATIC DOORS AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE FIFTH AND FINAL OPTION TO RENEW TERM; 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 additional expenditure authority in an amount not to exceed \$3,548,765 for the Aviation Department and authorize the County Mayor to exercise the fifth and final option to renew term for *Contract No. BW9330-5/20-4, Maintenance Services for Automatic Doors*, with Dash-Door & Closer Service, Inc. as the awarded vendor.

**PROCEDURAL HISTORY**

**Prime Sponsor: N/A**

**Department/Requester: Internal Services**

This item has no procedural history.

**ANALYSIS**

The purpose of this item is to seek Board approval of additional expenditure authority for *Contract No. BW9330-5/20-4, Maintenance Services for Automatic Doors*, serving the Aviation Department, in an amount up to \$3,548,765, as well as of authority to exercise the fifth (and final) option to renew term. The contract was awarded to Dash-Door & Closer Service, Inc. (Dash Door) as a bid waiver contract in December 2010 for a five-year term with five, one-year options to renew. Currently in its fourth option to renew term, the contract has a cumulative value of \$24,108,522. If approved, the additional expenditure authority would increase the cumulative value to \$27,657,287 and exercising of the fifth option to renew term would delay the expiration one year to December 31, 2020.

The allocation being requested—\$661,000 for the current option to renew term and \$2,887,765 for the final option to renew term—is for the Aviation Department's continued purchasing of maintenance and repair services, inspections, parts, and installation of automatic doors and related equipment, as well as to cover the costs (\$47,200) of its special access control project in Miami International Airport Building 3030. Dash-Door is the proprietary designer and patent holder of the hydraulic integrated and non-hydraulic controls essential to the function of the Aviation Department's automatic doors being serviced by this contract, which includes virtually every door at Miami International Airport. Migration to a new vendor, which would entail replacing the doors, is stated to be cost prohibitive and involve risks such as software failure and lack of continuity among the various security systems at the airport.

The remaining eight County departments once served by this contract will now utilize Prequalification Pool *RTQ-01136, Overhead Doors, Security Gates, and Automatic Doors*, adopted by the Board on July 23, 2019, in which Dash Door is one of nine included vendors. Aviation has an allocation of \$300,000 in the pool. The pool's current cumulative value is \$6,848,568.

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The current option term began on January 1, 2019 and has a cumulative allocation of \$1,940,399. Of that amount, \$922,787 has been released solely to the Aviation Department (as of September 10, 2019) leaving a balance of \$1,017,612, per the Bid Tracking System. The current option term expires on December 31, 2019.

Dash Door and the County were defendants in a lawsuit (*Khishando Sylvester v. Dash Door & Closer Service Inc. et al*, Case No. 2018-033015-CA-01) wherein the plaintiff's complaint alleged defendant negligently maintained the subject premises by allowing the hazardous condition to exist on the premises causing injuries to the plaintiff. The complaint further states that the plaintiff suffered serious injuries to his right knee when the Airport's automated door, maintained by Dash Door, abruptly slammed shut and crushed the Plaintiff's knee. The plaintiff sued Dash Door and the County for damages in an amount in excess of \$15,000. The case was dismissed with prejudice on June 18, 2019.

There is also an open case to which Dash Door is the defendant (*Walter Machuca De Los Rios v. Dash Door & Closer Service, Inc.*, Case No. 2019-025766-CA-01.) wherein the plaintiff alleges defendant negligently maintained, operated, and controlled the automatic door at the 23 Departures entryway at Miami International Airport, resulting in the defective automatic door opening in the wrong direction and the plaintiff suffering severe injuries to his shoulder. The plaintiff is suing Dash Door for damages in an amount in excess of \$15,000 in this ongoing case.

Dash-Door & Closer Service, Inc. is a local vendor with its principal address being 8800 NW 23 Street, Miami, Florida and is listed as active on Sunbiz.org, the official State of Florida, Division of Corporations website.

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1 of the County Code** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

[https://library.municode.com/fl/miami-dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Resolution No. R-1177-10**, adopted December 7, 2010, authorized waiver of formal bid procedures for the purchase of goods and services, including the purchase of maintenance services for automatic doors for various County departments for five years with five one-year options to renew at a cumulative value of \$19,438,000.

<http://intra/gia/matter.asp?matter=102519&file=true&yearFolder=Y2010>

**Resolution No. 819-19**, adopted July 23, 2019, authorized establishment of Prequalification Pool *RTQ-01136* in a total amount up to \$6,848,568.00 for the purchase of overhead doors, security gates, and automatic doors for multiple departments for a five-year term.

<http://intra/gia/matter.asp?matter=191910&file=true&yearFolder=Y2019>

**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>

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**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-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-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-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/pdffiles/IO3-38.pdf>