



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

Infrastructure and Capital Improvements (ICI)
Committee Meeting

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

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**ICI Committee Meeting:
November 13, 2019
Research Notes**

**Item No. 1G2
File No. 192368**

Researcher: MF Reviewer: PGE

ORDINANCE RELATING TO VACATION RENTALS; AMENDING SECTION 33-28 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING REQUIREMENTS RELATING TO THE RESPONSIBILITIES AND DUTIES OF PEER-TO-PEER OR PLATFORM ENTITIES (“PLATFORMS”); SPECIFYING THE MANNER IN WHICH PLATFORMS MUST PROVIDE NOTICE OF REQUIREMENTS TO PERSONS OR ENTITIES OFFERING VACATION RENTALS; REQUIRING PLATFORMS TO PROVIDE CERTAIN INFORMATION TO PLATFORM USERS; SPECIFYING THE MANNER IN WHICH PLATFORMS MAY COMPLY WITH REQUIREMENT RELATING TO SUBLETTING; CLARIFYING THAT REQUIREMENT TO ALLOW COUNTY INSPECTION OF PLATFORM RECORDS AND INFORMATION IS SUBJECT TO ADMINISTRATIVE SUBPOENA OR OTHER LEGAL PROCESS; REQUIRING PLATFORMS TO PROVIDE THE COUNTY WITH PERIODIC REPORTS; REQUIRING PLATFORMS TO ENTER INTO CERTAIN AGREEMENTS TO ADDRESS LISTINGS FOR VACATION RENTALS WITH REPEAT VIOLATIONS AND TO ENCOURAGE USER COMPLIANCE WITH COUNTY REGULATIONS; DELETING REQUIREMENT THAT PLATFORMS ONLY FACILITATE TRANSACTIONS FOR VACATION RENTALS WITH A VALID CERTIFICATE OF USE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should authorize amending the County’s Vacation Rentals Ordinance (Section 33-28 of the County Code) to: (1) specify the manner in which platforms must provide notice of requirements for persons offering vacation rentals; (2) require certain information of users; (3) specify subletting compliance; (4) clarify inspection of records and legal processes; (5) address repeat violations; (6) encourage user compliance; and (7) delete requirement that facilitates vacation rentals with only a valid Certificate of Use.

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Sally A. Heyman, District 4

Department/Requester: None

This item was adopted on first reading at the BCC meeting of October 3, 2019. There were no questions or comments and the Board voted on the ordinance as presented.

ANALYSIS

The purpose of this item is for the Board to amend the County’s Vacation Rentals Ordinance, codified as Section 33-28 of the County Code, to revise the requirements relating to the responsibilities and duties of peer-to-peer platform entities. More specifically, the amendment accomplishes the following:

- Specifying way platforms must provide notice of requirements for persons offering vacation rentals;
- Requiring certain information of users;
- Specifying subletting compliance;
- Clarifying inspection of records and legal processes;
- Addressing repeat violations;
- Encouraging user compliance; and
- Deleting requirement that facilitates vacation rentals with only a valid Certificate of Use.

**ICI Committee Meeting:
November 13, 2019
Research Notes**

**Item No. 1G2
File No. 192368**

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The County's Vacation Rentals Ordinance No. 17-78 was adopted by the Board on October 17, 2017 and only applies to the unincorporated areas of the County. Under the ordinance, a vacation rental is defined as: any dwelling unit or residence, including but not limited to, any unit or group of units in a condominium, cooperative, or apartment building, that is rented in whole or in part to a transient occupant for a period of less than 30 days or one calendar month, which ever is less, or whichever is advertised or held out to the public as a place that may be rented to a transient occupant, but shall not include a hotel, motel, or bed and breakfast as defined in the Code.

A peer-to-peer platform is defined as: any person, service, business, company, marketplace, or other entity that, for a fee or other consideration, provides property owners and responsible parties a platform or means to offer vacation rentals to transient occupants whether through the Internet or other means. A responsible party is defined as: the person or entity authorized by the property owner to obtain a Certificate of Use for a vacation rental, and who will be, 1) responsible for ensuring compliance with all regulations related to vacation rentals; and 2) available to respond 24 hours per day, 7 days per week to any issue that arises relating to the vacation rental.

There is no fiscal impact associated with this item at this time.

The requirements for operating a vacation rental as set forth on RER's website are:

- Vacation rentals must be licensed by the State of Florida;
- Responsible parties must obtain a Certificate of Use (prior to listing and advertising the property on any peer-to-peer platform); the cost is \$36.70 per certificate, at which point an inspection is required with a total cost of \$136.17;
- A new CU must be obtained annually; and
- If a property does not pass inspection, or has pending fines or liens for violations, a CU will not be issued.

The key operational ramifications for peer-to-peer platforms under the amendment are as follows:

- *As part of its vacation rental listing registration process, inform the responsible party that a Certificate of Use must be obtained before offering a vacation rental in the County; include a link to the County webpage where a Certificate of Use may be applied for and obtained; provided a dedicated field to enable the responsible party to input the Certificate of Use number before such party completes registration and lists a vocational rental on the platform;*
- *A peer-to-peer entity shall comply with administrative subpoenas or other appropriate legal process from the County seeking information relating to persons or entities listing or offering vacation rentals on its service or platform;*
- *A peer-to-peer entity shall provide the Department, on a quarterly basis, a report disclosing the total number of vacation rental listings on the service or platform during the prior quarter; and the total number of nights that vacation rentals listed on the service or platform were rented during the prior quarter;*
- *Enter into an agreement with the Department that provides for: 1) addressing listings for properties with three or more fully adjudicated violations committed within a consecutive 12-month period to ensure that any such listings do not operate as vacation rentals unless and the requirements of paragraph (6) of subsection (C) and paragraph (2) of subsection (E) have been complied with; and*
- *Facilitating responsible party compliance with the Certificate of Use requirement.*

**ICI Committee Meeting:
November 13, 2019
Research Notes**

**Item No. 1G2
File No. 192368**

Researcher: MF Reviewer: PGE

OCA performed research on legislation and processes adopted by neighboring jurisdictions regarding vacation rentals. Below is a synopsis of best practices for vacation rentals from municipalities in Miami-Dade and Broward Counties.

Jurisdiction	Governance
City of Miami Beach	Approved vacation/short-term rentals are required to obtain proper authorization and zoning approvals as well as Business Tax Receipt to operate. The City has a search feature on its website whereby users can look up legal rentals licenses and address information. https://secure.miamibeachfl.gov/ShortTermRentalLicenses/
City of North Miami Beach	The City requires a short-term rental registration application and hosts are required to register the property with the City's Code Compliance Division to offer short-term rentals. There is a one-time \$100 application fee. Short-term vacation rentals are allowed in single-family and multi-family residential districts. https://www.citynmb.com/Search?searchPhrase=vacation%20rental
Town of Bay Harbor Islands	The Town requires vacation rental registration and issuance of a Business Tax Receipt, as well as proof that notice has been provided to and written consent has been given by a condo, cooperative or management of a complex. https://www.bayharborislands-fl.gov/business-tax-receipts
City of Fort Lauderdale	The City has a Vacation Rental Registration Program that regulates vacation rentals. The City's compliance division ensures the rental operators are current with the state and tax licenses and that each vacation rental meets minimum housing and life safety standards. The City's website offers features to register and renew registration of properties and provides enforcement information listing properties that have been discovered as operating illegally as well as those that have Certificates of Compliance. https://www.fortlauderdale.gov/departments/sustainable-development/community-enhancement-and-compliance/vacation-rental-program
City of Hollywood	The City requires a Vacation Rental License only for properties zoned RS (Single-Family Residential District) and RM (Multiple Family Residential District); there is an initial application fee of \$500 and a renewal fee of \$350. The units are required to undergo City inspection prior to the issuance of the license. https://www.hollywoodfl.org/946/Vacation-Rental-License
City of Pompano Beach	The City requires operators to obtain an annual permit by obtaining a license as a Transient Public Lodging Establishment with Florida's DBPR. Also required are the following: a certificate of registration with the state Department of Revenue, and Broward County and City of Pompano Beach Business Tax Receipts. Once approved, several city inspectors from various departments visit the premises. http://pompanobeachfl.gov/pages/task_force

ADDITIONAL INFORMATION

Vacation rentals in South Florida have been the subject of legal challenges. The City of Miami Beach passed an ordinance banning short-term rentals, which a Miami-Dade County court struck down due to its conflict with state law. The ban was

**ICI Committee Meeting:
November 13, 2019
Research Notes**

Item No. 1G2

File No. 192368

Researcher: MF Reviewer: PGE

deemed “illegal and unenforceable” after Miami Beach imposed hefty fines for illegal rentals, ranging from \$20,000 for the first violation to \$40,000 for the second, \$60,000 for the third, \$80,000 for the fourth and \$100,000 for each violation thereafter. The court ruled that the city’s fines were in direct conflict with the state, which caps fines at \$1,000 per day for the first infraction and \$5,000 per day for repeat violations.

<https://www.remiamibeach.com/citywide/the-court-decision-on-miami-beachs-short-term-rental-ban-what-it-means-and-what-it-doesnt/>

The County’s Department of Regulatory and Economic Resources (RER) has a dedicated webpage to Short-Term Vacation Rentals.

<https://www.miamidade.gov/building/standards/residential-short-term-vacation-rentals.asp>

APPLICABLE LEGISLATION/POLICY

Florida Statutes Section 509.242, Public lodging establishments. This section regulates lodging and food services establishments. A public lodging establishment shall be classified as a hotel, motel, non-transient apartment, transient apartment, bed and breakfast inn, timeshare project, or vacation rental if the establishment satisfies the following criteria: *Vacation rental*.—A vacation rental is any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family, or four-family house or dwelling unit that is also a transient public lodging establishment but that is not a timeshare project.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0500-0599/0509/Sections/0509.242.html

Ordinance No. 17-78, adopted October 17, 2017, regulates vacation rentals, creating Section 33-28 of the Code, requiring a Certificate of Use and establishing zoning regulations for vacation rentals in the unincorporated area; providing requirements for issuance of Certificate of Use and renewal; providing vacation rental standards and duties of peer-to-peer or platform entities and responsible parties; requiring a bond under certain circumstances; requiring vacation rentals to comply with certain existing code provisions and imposing certain additional code requirements including requirements related to maximum occupancy, signs, noise, parking and pets; prohibiting a sexual predator or offender from occupying a vacation rental under certain circumstances; amending Section 8CC; providing for enforcement by civil penalties.

<http://www.miamidade.gov/govaction/matter.asp?matter=172425&file=false&fileAnalysis=false&yearFolder=Y2017>

Section 33-28 of the Miami-Dade County Code (Vacation Rentals), provides regulations pertaining to vacation rentals to preserve the quiet nature and atmosphere of residential areas and to ensure to the County’s residents the tranquility and peaceful enjoyment of their neighborhoods.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH33ZO_ARTIINGE_S33-28VARE

ICI Meeting: November 13, 2019

Research Notes

Item No. 3A

File No. 192576

Researcher: VW Reviewer: TD

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-01327 IN A TOTAL AMOUNT UP TO \$2,860,000.00 FOR THE PURCHASE OF CLOSED CIRCUIT TELEVISION AND VIDEO PIPELINE INSPECTION EQUIPMENT, COMPONENTS, REPAIR SERVICES AND SUPPLIES FOR THE MIAMI-DADE WATER AND SEWER DEPARTMENT 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-01327 CCTV Camera Equipment, Maintenance and Repair Services*, for the Miami-Dade Water and Sewer Department in an amount not to exceed \$2,860,000 for a term of five years.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

ANALYSIS

The purpose of this item is to establish Prequalification Pool *RTQ-00893* for the purchase of equipment, parts, inspection, installation, maintenance, repair, training and software support services for closed circuit television camera equipment for the Water and Sewer Department. The total allocation for the five-year term is \$2,860,000. The CCTV camera equipment requested will replace the current inventory of camera equipment used by Water and Sewer to inspect pipes for possible leaks and to assess their overall integrity.

The Board approved the current pool, *8913-3/14-3, Closed Circuit Television and Video Pipeline Inspection Equipment, Components, Repair Services and Supplies* on June 30, 2009. The pool was modified for additional time and expenditure through resolutions R-508-14 and R-985-18 respectively and is set to expire on January 31, 2020 with a total cumulative allocation of \$4,324,250 over its ten-and-a-half-year lifespan. The allocation under the replacement pool is higher than the current pool due to additional inventory required for newly purchased vehicles and the department's anticipated need to perform digital manhole inspections not previously forecasted.

The requested pool will divide the services provided into two groups:

Group 1: Purchase of Equipment, Software, Parts, and Accessories

Group 2: Technical Support, Training, Maintenance, and Repair Services

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 pools' expiration dates, the County is required to have commenced planning for re-procurement no later than May 31, 2018.

A Request to Qualify was issued and advertised, with 92 vendors viewing the solicitation and 4 vendors responding. Of the 4 respondents, the following 3 vendors are being recommended for inclusion in the pool. None are local vendors due to the highly specialized nature of the services being requested. There is a stark absence of local firms that service or manufacture the CCTV equipment which Water and Sewer utilize for pipe inspection.

ICI Meeting: November 13, 2019

Research Notes

Item No. 3A

File No. 192576

Researcher: VW Reviewer: TD

The table below summarizes OCA's due diligence review of the awarded vendors.

Awarded Firms	Group(s)	Corporate Registration	Tax Collector	Florida DBPR	Westlaw
Aries Industries, Inc.	Groups 1 and 2	Foreign Profit Corporation Principal Address: 550 Elizabeth Street Waukesha, WI 53186 Dated Filed: 08/01/2007	Nothing Found	Nothing Found	No relevant cases found
Cues, Inc.	Groups 1 and 2	Foreign Profit Corporation Principal Address 3600 Rio Vista Ave Orlando, FL 32805 Date Filed: 07/19/2017	Nothing Found	License: (Registry) Main Address: 3600 Rio Vista Ave Orlando, Florida 32805 Current/ No Complaints	EPS Inc. v. Aries Industries, Inc. Case No. 2018-035972-Ca-01; Filed in the U.S. District Court, Northern District of California (San Francisco) on December 4, 2013. Allegation: Defendants sold faulty equipment to the plaintiff, guaranteed to repair it, and failed to do so. Case Status: Closed
Logiball Inc.	Groups 1 and 2	Nothing Found	Nothing Found	Nothing Found	No cases found

ICI Meeting: November 13, 2019

Research Notes

Item No. 3A

File No. 192576

Researcher: VW Reviewer: TD

A November 12, 2019 Business Management Workforce System search for the solicitation's commodity code, 65539: Cameras, Still, Specialized, Including Complete Systems for Medical and Dental Photography, Photomicrography, etc., yielded no certified local small business enterprises providing these services.

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)

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 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_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551FLST2001_S29-124SPFUCRUSSUPRROCIINTRTR](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH29TA_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551FLST2001_S29-124SPFUCRUSSUPRROCIINTRTR)

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>

ICI Meeting: November 13, 2019

Research Notes

Item No. 3A

File No. 192576

Researcher: VW Reviewer: TD

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>

Resolution No. R-920-09, adopted on July 2, 2009, authorizes award of competitive contracts, contract modifications, and competitively solicited contracts of other governmental entities, and authorizes the county mayor or county mayor's designee, to exercise options-to-renew established thereunder for the purchase of goods and services, and authorizes the use of charter county transit system surtax funds.

<http://intra/gia/matter.asp?matter=091840&file=true&yearFolder=Y2009>

Resolution No. R-508-14, adopted June 3rd 2014, authorizes time extensions for contracts and prequalification pools, and additional expenditure authority in a total amount up to \$4,755,000.00 for purchase of urine sample testing, enterprise content management solution, mobile materials handling equipment, SAS data analysis software maintenance, time equipment maintenance and repairs, and CCTV pipeline inspection equipment, repair services, supplies.

<http://intra/gia/matter.asp?matter=141120&file=true&yearFolder=Y2014>

Resolution No. R-985-18, adopted October 2nd 2018, approves additional expenditure authority in a total amount up to \$750,000.00 for prequalification pool no. 8913-3/14-3 for purchase of closed circuit television pipeline inspection equipment, replacement parts, supplies, repairs, and refurbishment services for Miami Dade Water and Sewer Department.

<http://intra/gia/matter.asp?matter=182067&file=true&yearFolder=Y2018>

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>

**ICI Committee Meeting:
November 13, 2019
Research Notes**

**Item No. 3H
File No. 192417**

Researcher: JFP Reviewer: PGE

RESOLUTION APPROVING THE CONTRACT FOR PROFESSIONAL SERVICES AGREEMENT WITH 10 CONSULTING FIRMS TO PROVIDE MISCELLANEOUS CONSTRUCTION ENGINEERING AND INSPECTION AND RESIDENT COMPLIANCE SPECIALISTS FOR FEDERALLY FUNDED PROJECTS (PROJECT NO. E18-DTPW-02; CONTRACT NO. 20170307); WITH A CEILING OF \$15,000,000.00; EACH NON-EXCLUSIVE PSA WILL HAVE A TOTAL MAXIMUM LIMITING AMOUNT NOT TO EXCEED \$1,500,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE ATTACHED AGREEMENTS

ISSUE/REQUESTED ACTION

Whether the Board should approve non-exclusive Professional Services Agreements (PSAs) between the County and 10 consulting firms for miscellaneous Construction Engineering and Inspection (CEI) and Resident Compliance Specialist (RCS) services for various federally funded projects in an amount not to exceed \$15,000,000 (\$1,500,000 maximum per PSA) for a term of five years.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Transportation and Public Works

This item has no procedural history.

ANALYSIS

The purpose of this item is to establish a prequalified pool of consultants, through 10 PSAs via *Contract No. 20170307*, to provide CEI and RCS services for Florida Department of Transportation (FDOT) Local Agency Program (LAP) projects. The pool will be managed by the Department of Transportation and Public Works (DTPW) and utilized by various County departments, including Water and Sewer, Parks, Recreation and Open Spaces, and PortMiami, on an as needed basis during the five-year term. Additional selections for assignment of task work orders will be based on firm expertise and consultant staff availability to perform the task, taking into account tasks already assigned.

Each non-exclusive PSA will be limited to a maximum amount of \$1,500,000, resulting in a total approval amount of \$15,000,000 for ISD A&E Project Number E18-DTPW-02, with no contingency allowance. The department that is requesting the services for a specific project is to provide the funding source at the time a work order is issued, with eventual reimbursement by FDOT.

The PSAs are necessary in order to be eligible for Federal Highway Administration (FHWA) funds allocated by FDOT through LAP Agreements. FDOT contracts with other local agencies in these LAP Agreements to plan, develop, design, acquire right of way, and construct transportation facilities, reimbursing these local agencies for services provided to the public with federal funds administered by the FHWA.

The solicitation was advertised on October 16, 2018. The Notice to Professional Consultants did not include a specific Disadvantaged Business Enterprises (DBE) contract goal—despite the requirement prescribed by 49 CFR 26.21 that the County follow the FDOT DBE goal of 10.65% on FHWA-assisted contracts—as the County will likely achieve the overall DBE percentage through ordinary procurement methods. There were 22 respondents. Negotiations with the 10 selected firms commenced on May 15, 2019 and concluded on May 17, 2019.

**ICI Committee Meeting:
November 13, 2019
Research Notes**

**Item No. 3H
File No. 192417**

Researcher: JFP Reviewer: PGE

Pursuant to Resolution No. R-421-16, OCA conducted a performance record verification in the Capital Improvements Information System on November 8, 2019, with the following findings.

Awarded Firm	No. of Evaluations	Average Evaluation Rating (out of a possible 4.0)
A2 Group, Inc.	1	2.2
A&P Consulting Transportation Engineers Corp.	30	3.8
Atkins North America, Inc.	36	3.8
The Corradino Group, Inc.	9	3.5
Gannett Fleming, Inc.	9	3.7
Louis Berger US, Inc.	1	4.0
Rummel, Klepper & Kahl, LLP (dba RK&K)	0	N/A
SRS Engineering, Inc.	13	3.8
T.Y. Lin International	7	4.0
Metric Engineering, Inc.	5	3.9

OCA's due diligence on the firms being recommended for award is detailed below.

Awarded Firm	Corporate Registration	Tax Collector's Office	Florida DBPR	Litigation (Westlaw)
A2 Group, Inc.	Florida Profit Corporation Active Principal Address (local): 12915 SW 132nd Street, Suite 5 Miami, FL 33186 Filed: February 8, 1994	Business Address: 12915 SW 132nd Street, Suite 5 Miami, FL 33186 Status: Paid and Current	License Types: Certified Underground Utility and Excavation Contractor; Certified General Contractor; Architect Business; Landscape Architect Business	No relevant cases.
A&P Consulting Transportation Engineers Corp.	Florida Profit Corporation Active Principal Address (local): 8935 NW 35 Lane, Suite 200	Business Address: 8935 NW 35 Lane, Suite 200 Doral, FL 33172 Status: Paid and Current	License Type: Registry; Architect Business	<i>Jenna Mendez v. Munilla Construction Mangt LLC et al</i> (Case No. 2018-035972-CA-01); Filed on October 19, 2018 in the 11 th Judicial Circuit, Miami-Dade County; Allegations:

**ICI Committee Meeting:
November 13, 2019
Research Notes**

**Item No. 3H
File No. 192417**

Researcher: JFP Reviewer: PGE

	Doral, FL 33172 Filed: January 17, 1995			defendant provided labor and services on the FIU pedestrian bridge project, including expertise in traffic engineering, traffic operations, work zone management, traffic studies, maintenance of traffic, rerouting, signalization, and foresight as to public safety risks; defendant allegedly breached its duty of care and was negligent in its operations relative to the FIU pedestrian bridge construction, resulting in its collapse and damages to plaintiff; and Case Status: Open.
Atkins North America, Inc.	Florida Profit Corporation Active Principal Address: 4030 West Boy Scout Boulevard, Suite 700 Tampa, FL 33607 Filed: February 29, 1960	Business Address (distinct from that listed in the Mayoral Memorandum): 800 Waterford Way Suite 700 Miami, FL 33126 Status: Paid and Current	License Type: Registry; Architect Business; Landscape Architect Business; Certified General Appraiser	<i>Henderson v. Atkins North America, Inc.</i> (Case No. 3:14-CV-00824); Filed on March 24, 2014 in U.S. District Court, Middle District of Tennessee (Nashville); Allegation: defendant failed to pay plaintiff's overtime compensation; and Case Status: Closed; settled and dismissed.
The Corradino Group, Inc.	Foreign Profit Corporation Active Principal Address (local): 4055 NW 97th Avenue Miami, FL 33178	Business Address: 4055 NW 97th Avenue, Suite 200 Miami, FL 33178 Status: Paid and Current	License Type: Registry; Certified General Contractor; Architect Business	<i>Jenna Mendez v. Munilla Construction Mangt LLC et al</i> (Case No. 2018-035972-CA-01); Filed on October 19, 2018 in the 11 th Judicial Circuit, Miami-Dade County; Allegations: defendant provided labor and services on the FIU

**ICI Committee Meeting:
November 13, 2019
Research Notes**

**Item No. 3H
File No. 192417**

Researcher: JFP Reviewer: PGE

	Filed: January 13, 1997			pedestrian bridge project, including construction engineering, inspection and management services and consulting; defendant allegedly breached its duty of care and was negligent for failing to appreciate the risks associated with the cracks found to the bridge and also deviated from the prevailing professional standard of care in construction and engineering of the bridge, resulting in its collapse and damages to plaintiff; and Case Status: Open.
Gannett Fleming, Inc.	Foreign Profit Corporation Active Principal Address: 207 Senate Avenue Camp Hill, PA 17011 Filed: October 30, 1989	Business Address: 800 NW 62nd Avenue, Suite 490 Miami, FL Status: Paid and Current	License Type: Registry; Architect Business; Geology Business; Landscape Architect Business	No relevant cases.
Louis Berger US, Inc.	Foreign Profit Corporation Active Principal Address: 412 Mount Kemble Avenue Morristown, NJ 07960 Filed: July 27, 1992	Business Address: 7270 NW 12th Street, Suite 860 Miami, FL 33126 Status: Paid and Current	License Type: Registry	<i>Jenna Mendez v. Munilla Construction Mangt LLC et al</i> (Case No. 2018-035972-CA-01); Filed on October 19, 2018 in the 11 th Judicial Circuit, Miami-Dade County; Allegations: defendant was responsible to provide labor and services on the FIU pedestrian bridge project and for the

**ICI Committee Meeting:
November 13, 2019
Research Notes**

**Item No. 3H
File No. 192417**

Researcher: JFP Reviewer: PGE

				supervision and construction of the bridge and to provide a secondary check and independent peer review; defendant breached its duty of care and was negligent in its secondary check of the bridge resulting in its collapse and damages to plaintiff; and Case Status: Open.
Rummel, Klepper & Kahl, LLP (dba RK&K)	No account on file.	Business Address: 701 Waterford Way, Suite 780 Miami, FL 33126 Status: Paid and Current	License Type: Registry; Geology Business	No relevant cases.
SRS Engineering, Inc.	Florida Profit Corporation Active Principal Address (local): 5001 SW 74th Court, Suite 201 Miami, FL 33155 Filed: September 14, 1995	Business Address: 5001 SW 74th Court, Suite 201 Miami, FL 33155 Status: Paid and Current	License Type: Registry	No relevant cases.
T.Y. Lin International	Foreign Profit Corporation Active Principal Address: 345 California Street, Suite 2300 San Francisco, CA 94104	Business Address: 201 Alhambra Circle, Suite 900 Coral Gables, FL 33134 Status: Paid and Current	License Type: Registry; Architect Business; Landscape Architect Business; Geology Business	<i>Tucharski Edyta v. TY Lin International</i> (Case No. 2017-L-008009); Filed on August 8, 2017 in Circuit Court, Cook County; Allegations: Plaintiff's husband's head collided with the newly installed concrete sewer pipe when the trench shield caved in and collapsed on him while

**ICI Committee Meeting:
November 13, 2019
Research Notes**

Item No. 3H

File No. 192417

Researcher: JFP Reviewer: PGE

	Filed: June 12, 1975			he was working in the trench dug of defendants' sewer improvement project, resulting in the decedent being buried alive under the collapsed portion of the trench dug, and his wrongful death; and Case Status: Open.
Metric Engineering, Inc.	Florida Profit Corporation Active Principal Address (local): 13940 SW 136th Street, Suite 200 Miami, FL 33186 Filed: July 27, 1976	Business Address: 13940 SW 136th Street, Suite 200 Miami, FL 33186 Status: \$5,253.03 due (2019)	License Type: Registry	No relevant cases.

A November 8, 2019 search of the County's Business Management Workforce System produced a finding of 101 local certified Small Business Enterprises (SBEs) for the solicitation's project technical certification requirement code 17.00 – Engineering Construction Management.

APPLICABLE LEGISLATION/POLICY

Section 287.055, 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

49 CFR 26.21 outlines who must have a Disadvantaged Business Enterprise program, specifying that all FHWA primary recipients receiving funds authorized by a statute must have a DBE program.

<https://www.govinfo.gov/content/pkg/CFR-2018-title49-vol1/xml/CFR-2018-title49-vol1-part26.xml#seqnum26.21>

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

**ICI Committee Meeting:
November 13, 2019
Research Notes**

Item No. 3H

File No. 192417

Researcher: JFP Reviewer: PGE

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>

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 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>

**ICI Committee Meeting:
November 13, 2019
Research Notes**

Item No. 3I
File No. 192604

Researcher: IL Reviewer: PGE

RESOLUTION AUTHORIZING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; MODIFYING CONTRACT NO. 47457 BETWEEN MIAMI-DADE COUNTY AND E-BUILDER INC., A FLORIDA COMPANY; INCREASING TOTAL COMPENSATION FROM \$3,768,958.00 TO \$4,668,113.05; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should authorize a designated purchase by a two-thirds vote of the members present to E-Builder, Inc. in order to expand the scope of *Contract No. 47457, Enterprise Capital Program Management System Agreement*, through Supplemental Agreement No. 2, increasing the contract value by \$899,155, for the Water and Sewer Department (WASD).

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: WASD

There is no procedural history for this item.

ANALYSIS

The purpose of this item is for WASD to gain Board authorization for a designated purchase to increase spending by \$899,155 under *Contract No. 47457* to cover the cost of work added after the original contract was established. The additional work and associated costs are set forth in Supplemental Agreement No. 2. This modification increases the total compensation to E-Builder, Inc., the awarded vendor, from \$3,768,958 to \$4,668,113.

The County originally accessed the Minnesota State College and University System's competitively established contract on May 16, 2017 pursuant to Resolution No. R-543-17. The contract was initially approved for 19 months with five, one-year options to renew in the total amount of \$3,601,326. WASD uses this contract to provide a method to better manage projects in an effort to meet Consent Decree deadlines. More specifically, the contract is used to manage construction activities to successfully complete the multi-year capital improvement plan (CIP). E-Builder's software provides real-time, collaborative workflows for project lifecycle management and includes tools to measure and manage each step of the capital project process, including planning, design, contracting and operations.

The initial allocation for this project was an amount of \$1,676,326 and each option to renew was originally slated a rate of \$385,000. The administration approved an additional amount of \$167,632 on February 5, 2018 bringing the initial term's total amount to \$1,843,958. On October 2, 2018, the first option to renew was executed for \$385,000 under the County Mayor's delegated authority. The contract is in its second option term, valued at \$385,000, commencing on October 2, 2019 and expiring on October 1, 2020. As of November 12, 2019, the contract's Blanket Purchase Order shows that \$20,173 has been released from the \$385,000 allocation, leaving a balance of \$364,827. The Fiscal impact of this modification is \$899,155 to the County, funded by Proprietary funds. This amount consists of (1) \$453,180 for one-time implementation services during OTR 2; (2) increasing annual subscription fees by a total of \$284,271; and (3) providing for a contingency of \$161,704.

**ICI Committee Meeting:
November 13, 2019
Research Notes**

Item No. 3I

File No. 192604

Researcher: IL Reviewer: PGE

According to the Administration, the item is presented as a designated because the work contemplated for the modification was not included as part of the original contract and it is not practicable to competitively procure these services as doing so would be time consuming and costly. The expanded scope of work includes:

- Annual software subscription and maintenance fees for added work to the CIP testing and development process;
- Custom development work within Capital Donations that automatically calculate the collection of fees (impact fees) for plans review, verification forms, ordinance letters, shop drawings, agreements and billing material forms to eliminate calculation errors and improve upon reporting;
- Custom development work within CIP to create detailed schedule of values that will facilitate the ability of contractors to submit invoices electronically, eliminating errors and mitigating process delays for payments; and
- The ability to create custom reporting and mail merge documents assisting in the task authorization and invoicing process.

The contract has 1 active vendor, which does not have a local address. A November 4, 2019 search on the Business Management Workforce System (BMWS) for the pool's Commodity Code (20556, *Software, Application: Preprogrammed*) yielded zero local certified small business vendors.

The table below summarizes OCA's due diligence review of the prequalified vendors.

Awarded Firms	Corporate Registration	Tax Collector	Florida DBPR	Westlaw
E-Builder	Trademark E-Builder Principal Address: 1800 NW 69 Avenue Plantation, FL Date Filed: February 10, 2015	Nothing found	Nothing found	No cases found

ADDITIONAL INFORMATION

E-Builder is currently utilized by Jackson Health System and the City of Miami-Beach.

<https://www.e-builder.net/industries/government/>

**ICI Committee Meeting:
November 13, 2019
Research Notes**

**Item No. 3I
File No. 192604**

Researcher: IL Reviewer: PGE

APPLICABLE LEGISLATION/POLICY

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

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Section 2-8.2.12 of the County Code sets forth the WASD Consent Decree and Capital Improvement Programs Acceleration Ordinance.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.2.12MIDEWASEDECODECAIMPRACOR

Section 2-8.1(B)(3) of the County Code sets forth procedures for purchases when competitive procedures are not practicable.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.2.12MIDEWASEDECODECAIMPRACOR

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-543-17, adopted May 16, 2017, authorized WASD to purchase from E-Builder, Inc. the enterprise construction project management software in a total amount of \$3,601,326 for an initial contract term of 19 months plus five, one-year options to renew.

<http://intra/gia/matter.asp?matter=171100&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>

**ICI Committee Meeting:
November 13, 2019
Research Notes**

**Item No. 3K
File No. 192609**

Researcher: VW Reviewer: TD

RESOLUTION APPROVING AMENDMENT NUMBER ONE TO SIX NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENTS BETWEEN MIAMI-DADE COUNTY AND A&P CONSULTING TRANSPORTATION ENGINEERS CORP. AGREEMENT NO. 16APCT005; BLACK AND VEATCH CORPORATION AGREEMENT NO. 16BVC004; KIMLEY-HORN ASSOCIATES, INC. AGREEMENT NO. 16KHAI004; STANTEC CONSULTING SERVICES, INC. AGREEMENT NO. 16SCSI02; WADE TRIMM, INC. AGREEMENT NO. 16WTI001; WSP USA, INC. AGREEMENT NO. 16PBI001; APPROVING AMENDMENT NUMBER TWO TO TWO NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENTS BETWEEN MIAMI-DADE COUNTY AND EAC CONSULTING, INC. AGREEMENT NO. 16EAC001; AND JACOBS ENGINEERING GROUP INC. AGREEMENT NO. 16JEGI001; PROVIDING FOR MODIFICATION TO THE SCOPE OF SERVICES TO ADDRESS FUTURE CAPACITY AND RELIABILITY OF THE WATER AND WASTEWATER SYSTEM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SAME AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the execution of Amendment Number One for six and approving Amendment Number Two for three non-exclusive professional services agreements modifying the scope of services so that all firms are allowed to work on both wastewater pipelines for Ocean Outfall Legislation Projects (OOL) and water pipelines for Non-OOL projects with the Miami-Dade Water and Sewer Department (WASD).

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Miami-Dade Water and Sewer Department

There is currently no procedural history for this item.

ANALYSIS

The purpose of this item is to seek the approval of Amendments Number One and Number Two which would change the scope of services for the agreements with the following eight firms: A&P Consulting Transportation Engineers Corp, Black and Veatch Corporation, Jacobs Engineering Group Inc., Kimley-Horn Associates, Inc., and Stantec Consulting Services, Inc., Wade Trim, Inc., WSP USA, Inc., and EAC Consulting, Inc. eliminating the previous categories Group A and Group B so that all firms listed are allowed to work on water and wastewater pipelines for all projects, whether OOL or Non-OOL. The only exception is Jacobs Engineering Group, Inc. which cannot be assigned OOL projects due to conflict of interest.

The justification for this legislation is that starting in 2019 the Ocean Outfall Compliance Plan focuses on improvements at the wastewater treatment plant and will no longer include pipeline projects. Additionally, WASD now manages projects for water and wastewater pipelines with diameters greater than 36 inches.

The Office of the Commission Auditor (OCA) conducted a review of the Capital Improvements Information System (CIIS) pursuant to Resolution No. R-421-16, a Performance Record verification on November 12, 2019 of A&P Consulting Transportation Engineers Corp, Kimley-Horn Associates, Inc., EAC Consulting, Inc., Black and Veatch Corporation, Stantec Consulting Services, Inc., Wade Trim, Inc., WSP USA, Inc., and Jacobs Engineering Group Inc. The results are as follow:

**ICI Committee Meeting:
November 13, 2019
Research Notes**

**Item No. 3K
File No. 192609**

Researcher: VW Reviewer: TD

- A&P Consulting Transportation Engineers Corp. shows 30 performance evaluations, yielding an average evaluation rating of 3.8 out of 4.0
- Kimley-Horn Associates, Inc shows 25 performance evaluations. yielding an average evaluation rating of 3.5 out of 4.0
- EAC Consulting, Inc shows 7 performance evaluations yielding an average evaluation rating of 3.5 out of 4.0
- Black and Veatch Corporation shows 7 performance evaluations yielding an average evaluation rating of 3.9 out of 4.0
- Stantec Consulting Services, Inc shows 12 performance evaluations yielding an average evaluation rating of 3.7 out of 4.0
- Wade Trim, Inc shows 2 performance evaluations yielding an average evaluation rating of 3.0 out of 4.0
- WSP USA, Inc shows 3 performance evaluations yielding an average evaluation rating of 4.0 out of 4.0
- Jacobs Engineering Group Inc showed zero (0) performance evaluations.

OCA conducted a due diligence review for the three firms referenced above, the results are below:

Awarded Firms	Corporate Registration	Tax Collector	Florida DBPR	Westlaw
A&P Consulting Transportation Engineers Corp.	Florida Profit Corporation Principal Address: 8935 NW 35 Lane, Suite 200 Doral, FL 33172 Date filed: 01/17/1995	Business Address: 8935 NW 35th Ln Ste 200 Doral, FL 33172 Current/Paid	License: (Registry) Main Address: 8935 NW 35 Lane Suite 200 Doral, Florida 33172 Current/ No Complaints	Jenna Mendez V. Munilla Construction Mangt LLC Et Al Case No. 2018-035972-Ca-01; Filed in the 11th Judicial Circuit Court of Miami-Dade County on October 19, 2018. Allegation: Defendant breached their duty by failing to disclose construction faults to plaintiff that the cracks observed on the FIU Pedestrian Bridge structure created a dangerous condition and caused the structure to collapse resulting in injuries and damages to plaintiff. Case Status: Pending
Kimley-Horn Associates, Inc.	Foreign Profit Corporation Principal Address: 421 Fayetteville Street Suite 600 Raleigh, NC 27601 Date Filed: 04/24/1968	Business Address: Kimley-Horn and Associates Inc 2151 Le Jeune Rd Ste 202 Coral Gables, FL 33134 Current/Paid	License: (Registry) Main Address: 421 Fayetteville Street Suite 600 Raleigh, NC 27601 Current/ No Complaints	No relevant cases found

**ICI Committee Meeting:
November 13, 2019
Research Notes**

**Item No. 3K
File No. 192609**

Researcher: VW Reviewer: TD

EAC Consulting, Inc.	Florida Profit Corporation Principal Address: 5959 Blue Lagoon Drive Suite 410 Miami, FL 33126 Date Filed: 09/06/1994	Business Address: 5959 Blue Lagoon Drive Suite 410 Miami, FL 33126 Current/Paid	License: (Registry) Main Address: 5959 Blue Lagoon Drive Suite 410 Miami, FL 33126 Current/ No Complaints	No relevant cases found
Black and Veatch Corporation	Foreign Profit Corporation Principal Address: 11401 Lamar Overland Park, KS 66211 Date Filed: 12/22/1998	Nothing found	Nothing found	No relevant cases found
Stantec Consulting Services, Inc.	Foreign Profit Corporation Principal Address: 370 Interlocken Blvd, Suite 300, Broomfield, CO Date Filed: December 27, 2007	Business Address: 901 Ponce De Leon Blvd Suite 900, Coral Gables, FL Current/Paid	License (Architect/Geology License) Main Address: 325 25 Street SE Calgary, AB Current/ No Complaints	No relevant cases found

**ICI Committee Meeting:
November 13, 2019
Research Notes**

**Item No. 3K
File No. 192609**

Researcher: VW Reviewer: TD

Wade Trim, Inc.	Florida Profit Corporation Principal Address: 201 N Franklin Street Suite 1350 Tampa, FL 33602 Date Filed: 05/31/1984	Business Address: 2100 Ponce De Leon Blvd Ste 940 Coral Gables, FL 33134 Current/Paid	License: (Registry) Main Address: 201 N Franklin Street Suite 1350 Tampa, FL 33602 Current/ No Complaints	No relevant cases found
WSP USA, Inc.	Florida Profit Corporation Principal Address: One Penn Plaza New York, NY 10119 Date Filed: 03/05/1973	Business Address: WSP USA Inc. 7250 NW 19th St #300 Miami, FL 33126 Current/Paid	License: (Geology Business) Main Address: One Penn Plaza New York, NY 10119 Current/ No Complaints	No relevant cases found
Jacobs Engineering Group Inc.	Foreign Profit Corporation Principal Address: 1999 Bryan Street Dallas, Tx 75201 Date Filed: 02/12/1987	Nothing Found	License: (Registry) Main Address: 1999 Bryan Street Dallas, Tx 75201 Current/ No Complaints	James Kritch v. Jacobs Engineering Group, Inc. et al Case No. 2:17-CV-05666; Filed in the U.S. District Court, Central District of California (Los Angeles) on 07/31/2017; Allegation: Defendant violated the labor code by failing to pay overtime compensation, causing damages to Plaintiff. Case status: terminated

APPLICABLE LEGISLATION/POLICY

United States of America, the State of Florida Department of Environmental Protection and the State of Florida v. Miami-Dade County, Florida, Case No. 1:12-cv-24400-FAM

<https://www.epa.gov/sites/production/files/2013-08/documents/miami-dade-cd.pdf>

Florida Statutes, Chapter 287.055 Governs 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/Sections/0287.055.html

**ICI Committee Meeting:
November 13, 2019
Research Notes**

**Item No. 3K
File No. 192609**

Researcher: VW Reviewer: TD

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

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Section 2-8.2.12(4)(d) and (e) of the County Code (WASD Consent Decree) provides for the acceleration of Miami-Dade Water and Sewer Department Consent Decree and Capital Improvement Program projects, establishes policies and procedures for the approval of contracts related to those projects, specifically the right to amend contracts and extend the time for completion of any contract for construction, materials or professional services, including waivers of liquidated damages and other compensable and/or non-compensable time extensions as well as to negotiate and settle claims, and issue settlement agreement(s) or change orders for additional work under contracts and amendments where: the change order or claim does not exceed ten percent (10%) of the base contract amount; and the contingency allowance shall be utilized to ensure minimal disruption in work flow and shall be documented on the appropriate contingency authorization draw. Change orders shall be submitted to replenish the contingency account in a timely manner; and the limitations provided in (4)(e)(i) above shall not apply to any change order or amendment related to emergency actions impacting remediation, public safety, health requirements or recovery from natural disaster.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.2.12MIDEWASEDECODECAIMPRACOR

Section 2-8.5 of the County Code Provides definitions, establishes a preference for local businesses and locally headquartered businesses, establishes exceptions, and allows for reciprocity agreements.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.5PRPRPRLOBUCOCO

Section 2-10.4 of the 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=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE

Section 2-10.4(7) of the County Code, Provides each contract for professional services shall contain a prohibition against contingent fees, as required by Chapter 287, Florida Statutes. For the breach or violation of this provision the County Commission may terminate the agreement without liability or, at its discretion, deduct from the contract price, or otherwise recover, the full amount of such fee, commission, percentage, gift or consideration.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE

Section 2-11.1 of the 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=PTIICOOR_CH2AD_ARTIINGE_S2-11.1COINCOETOR

**ICI Committee Meeting:
November 13, 2019
Research Notes**

Item No. 3K
File No. 192609

Researcher: VW Reviewer: TD

Ordinance 14-79 (Sea Level Rise), adopted September 3, 2014, Amending Section 2-1 of the Code of Miami-Dade County, Florida, to require 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; providing severability, inclusion in the code, and an effective date.
<http://www.miamidade.gov/govaction/matter.asp?matter=141211&file=true&fileAnalysis=false&yearFolder=Y2014>

Ordinance No. 14-77, adopted September 3, 2014, Created Section 2-8.2.12 of the Code of Miami-Dade County, and delegated to the County Mayor the authority to advertise, award, amend and negotiate contracts for goods and services, construction and professional services for the Miami-Dade Water and Sewer Department, to extend contract duration, to execute change orders and to settle claims without need for prior Board approval.
<http://intra/gia/matter.asp?matter=141981&file=false&yearFolder=Y2014>

Administrative Order 3-39 Establishes the standard procedures for user departments to implement, classify, track, monitor and report capital construction projects unless specifically exempted by State or federal law.
<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-39.pdf>

Resolution No. R-1001-15, adopted November 3rd, 2015 requires County contracts with small business measures meet at least 85 percent of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment be considered for board approval.
<http://intra/gia/matter.asp?matter=151746&file=true&yearFolder=Y2015>

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-281-14, adopted March 18, 2014, Approves Mayor's recommendations relating to proposed Consent Decree with federal and state environmental enforcement agencies and authorizing the Mayor and County Attorney to modify proposed Consent Decree and advise the Court accordingly.
<http://www.miamidade.gov/govaction/matter.asp?matter=140568&file=true&fileAnalysis=false&yearFolder=Y2014>

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>