



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

**Board of County Commissioners Meeting**

February 4, 2020  
9:30 A.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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**BCC Meeting: February 4, 2020  
Research Notes**

**Item No. 5B  
File No. 200135**

**Researcher: CB   Reviewer: TD**

RESOLUTION CODESIGNATING THAT PORTION OF N.W. 37<sup>TH</sup> AVENUE BETWEEN N.W. 14<sup>TH</sup> STREET AND THE TAMIAMI CANAL AS “CHARLES DELUCCA, JR. WAY”

**ISSUE/REQUESTED ACTION**

N/A

**PROCEDURAL HISTORY**

**Co-Prime Sponsors: Commissioner Eileen Higgins, District 5 & Vice Chairwoman Rebeca Sosa, District 6.  
Department/Requester: N/A**

**ANALYSIS**

OCA completed the required background research on “Charles DeLucca, Jr.” noting no adverse findings.

OCA determined that there are no prior Board of County Commissioners (BCC) codesignation for “Charles DeLucca, Jr.”

OCA has verified that “Charles DeLucca, Jr.” is deceased.

**APPLICABLE LEGISLATION**

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

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

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

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**Item No. 8A1  
File No. 193058**

**Researcher: IL Reviewer: TD**

RESOLUTION APPROVING DEVELOPMENT LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND INTERNATIONAL FLIGHT CENTER AT THE MIAMI EXECUTIVE AIRPORT FOR THE REPLACEMENT OF THE FIXED BASED OPERATOR TERMINAL BUILDING AND CONSTRUCTION OF AIRCRAFT STORAGE AND MAINTENANCE HANGARS AND OTHER RELATED AVIATION FACILITIES, FOR A TERM OF THIRTY-FIVE YEARS, A MINIMUM INVESTMENT OF \$6,000,000.00, ANNUAL LAND, PAVEMENT, AND BUILDING RENT OF \$277,773.88, AND ADDITIONAL LAND AND IMPROVEMENT RENT; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME, TO EXERCISE ALL RIGHTS CONFERRED THEREIN AND TO PERFORM ALL ACTS NECESSARY TO EFFECTUATE; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE THE DEVELOPMENT LEASE AGREEMENT TO THE PROPERTY APPRAISER IN ACCORDANCE WITH RESOLUTION NO. R-791-14

**ISSUE/REQUESTED ACTION**

Whether the Board should approve a lease agreement between Miami-Dade County and International Flight Center (IFC), for the replacement of the fixed-based operator terminal building and the construction of aircraft storage and maintenance hangars and other related aviation facilities at the Miami Executive Airport.

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Joe A. Martinez, Commission District 11  
Department/Requester: Aviation Department**

This item was brought before the Tourism and Ports Committee on January 15, 2020, it was forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

The purpose of this item is for the Board to approve a lease agreement with IFC for the replacement of the fixed-based operator terminal building and the construction of aircraft storage and maintenance hangars and other related aviation facilities at the Miami Executive Airport. The lease agreement is for a thirty-five-year term as a developmental lease agreement where IFC will invest \$6,000,000 and have an annual land, pavement, and building rental fee of \$277,773. The proposed developed is located at 14592 S.W. 129 Street at Miami Executive Airport in Commission District 11, represented by Commissioner Joe A. Martinez.

The item is silent as to the selection process utilized, other corporations submitting bids, or their ranking.

The fiscal impact is positive resulting in annual payment of \$277,773 in an annual building, land and pavement rent and \$50,789.76 in land rent.

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A complete breakdown of the fiscal breakdown is illustrated in the table below:

(A) Annual Land & Building Rent: As annual land and building rent for the lease of the Premises, the Lessee shall pay to the County on the Commencement Date, the sum of **\$277,773.88** annually, to be prorated and payable in equal monthly installments of **\$23,147.82**, plus applicable State sales tax in US funds, on the first day of each and every month, in advance and without billing, at the offices of the Lessor, as set forth in Article 3.05 (Methods of Payment). Said rental is computed as shown in Table 1 below, and is subject to annual appraisal changes:

**Table 1  
Rent**

Exhibit	Parcel ID	Description	Area (SF)	Rate *	Annual *	Monthly *
A-4	23-14D03	Aircraft pavement	25,687	\$0.05	\$1,284.35	\$107.03
A-4	22-14H06	Airside vehicle Pavement	9,102	\$0.05	\$455.10	\$37.93
A-4	24-14H05	Landscape airside	14,715			
A-4	24-14H07	Landscape airside	1,718			
A-4	13-14H01	Bldg. 121	13,646	\$5.80	\$79,146.80	\$6,595.57
Total Land (Bldg 121)			64,868	\$0.24	\$15,568.32	\$1,297.36
A	13-13K01	Bldg. 221	13,442	\$3.65	\$49,063.30	\$4,088.61
A	13-13L01	Bldg. 222	15,552	\$2.55	\$39,657.60	\$3,304.80
A	25-13L05	Landside vehicle pavement	20,943	\$0.05	\$1,047.15	\$87.26
A	23-13K08	Aircraft pavement	160,128	\$0.05	\$8,006.40	\$667.20
A	24-13L04	Landscape	2,392			
A	24-13L03	Land	96,334			
A-3	24-13O03	Land	2,572			
A-3	23-13O02	Aircraft pavement	30,406	\$0.05	\$1,520.30	\$126.69
Total Land (Bldg 221, 222)			341,769	0.24	\$82,024.56	\$6,835.38
Total Square Feet			406,637			
<b>Total Rent</b>					<b>\$277,773.88</b>	<b>\$23,147.82</b>

The IFC has been a fixed based operator (FBO) on approximately 9.33 acres of land at Miami Executive Airport since October 1998. The development lease will, among other things:

- Provide for the addition of approximately 4.86 acres to the combined premises totaling approximately 14.19 acres;
- IFC will replace the existing FBO terminal building and construct two new aircraft storage hangars, a fuel farm, a maintenance hangar with office support and shop space and additional aircraft and vehicle pavement at Miami Executive Airport;
- Requires IFC to invest a minimum of \$6,000,000 for the design and construction of the proposed improvements; and
- Establishes IFC's payment requirements.

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OCA conducted a review of the selected firm on January 31, 2020, below are the results:

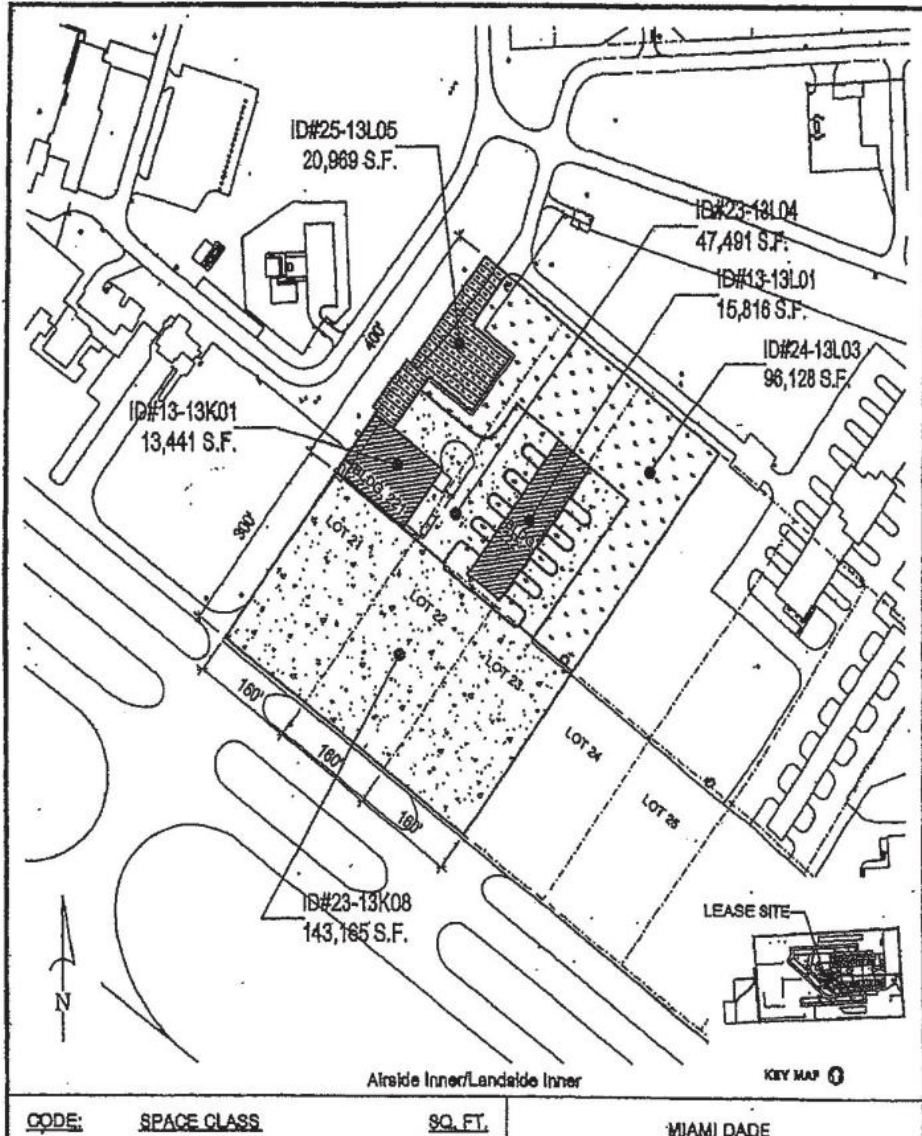
<b>Firm</b>	<b>Sunbiz</b>	<b>Tax Collector</b>	<b>West Law</b>
International Flight Center, Inc.	Florida For Profit Corporation Principal Address: 14592 S.W. 129 Street, Miami, FL 33186 Date Filed: 10/05/2006	Business address: 12800 SW 139 Avenue, Miami, FL 33186  Current/Paid	No Relevant Cases

The map below illustrates Phase 1 and Phase 2 and shows the location of the property.

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**APPLICABLE LEGISLATION/POLICY**

**Section 125.012 of the Florida Statutes**, Project facilities; general powers and duties - To pledge by resolution or contract the revenues arising from the operation of any project or projects owned and operated by the county to the payment of the cost of operation, maintenance, repair, improvement, extension, or enlargement of the project or projects from the operation of which such revenues are received and for the payment of principal and interest on bonds issued in connection with any such project or projects; and to combine for financing purposes any two or more projects constructed or acquired by the County.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0100-0199/0125/Sections/0125.012.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.012.html)



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**Section 125.35 of the Florida Statutes**, County authorized to sell real and personal property and to lease real property, The board of county commissioners is expressly authorized to sell and convey any real or personal property, and to lease real property, belonging to the county, whenever the board determines that it is to the best interest of the county to do so, to the highest and best bidder for the particular use the board deems to be the highest and best, for such length of term and such conditions as the governing body may in its discretion determine.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0100-0199/0125/Sections/0125.35.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.35.html)

**Florida Statutes Section 125.38** states that the Board of County Commissioners may if satisfied that such property is required for such use and is not needed for county purposes, may convey or lease the same at private sale to the applicant for such price, whether nominal or otherwise, as such board may fix, regardless of the actual value of such property. The fact of such application being made, the purpose for which such property is to be used, and the price or rent therefor shall be set out in a resolution duly adopted by such board. In case of a lease, the term of such lease shall be recited in the resolution. No advertisement shall be required.

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=125.38&URL=0100-0199/0125/Sections/0125.38.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=125.38&URL=0100-0199/0125/Sections/0125.38.html)

**Resolution No. R-650-07**, adopted May 3, 2007, authorizes the Mayor to advertise a request for proposals relating to the availability of designated investment area parcels at both Miami International Airport and Kendall-Tamiami Executive Airport for Development of such parcels under terms to be negotiated between the County and the proposers offering the greater financial return to the Airport System.

<http://www.miamidade.gov/govaction/matter.asp?matter=071399&file=true&fileAnalysis=false&yearFolder=Y2007>

**Resolution No. R-333-15**, adopted April 21, 2015, established the County policy requiring disclosure of the market value of market rental in legislative items authorizing the conveyance or lease of County-owned property to promote disclosure and fiscal responsibility.

<http://intra/gia/matter.asp?matter=150446&file=true&yearFolder=Y2015>

**Resolution No. R-380-17**, adopted April 4, 2017, requires that the County Mayor or County Mayor's designee provide written notification to District Commissioners in which County-owned property lies no less than four weeks prior to (1) any issuance of a request for proposal or expression of interest regarding the sale, lease, or development of such property or (2) placing any item on the agenda of the Board or any committee of the Board requesting the approval, sale, lease, or surplus of County-owned property.

<http://intra/gia/matter.asp?matter=170414&file=true&yearFolder=Y2017>

**Resolution No. R-461-13**, adopted June 4, 2013, establishes County policy to require inclusion of a reverter or lease termination provision in conveyance documents when conveying County-owned property by sale or lease under Florida Statute section 125.38.

<http://intra/gia/matter.asp?matter=130909&file=true&yearFolder=Y2013>

**Resolution No. R-791-14**, adopted September 3, 2014, directing the Mayor or the Mayor's designee to provide the Miami-Dade County Property Appraiser a copy of all leases and operating agreements involving County-Owned property.

<http://www.miamidade.gov/govaction/matter.asp?matter=141723&file=true&fileAnalysis=false&yearFolder=Y2014>



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**Resolution No. R-256-13**, adopted April 2, 2013, establishing County policy with respect to conveyances to not for profit corporations under Florida Statute Section 125.38, 1) to lease, rather than convey property, unless other compelling circumstances justify the conveyance of same, and 2) to include lease terms requiring a rental payment in lieu of paying taxes in the event that tax exempt status is achieved by the not-for-profit corporation, unless a hardship or other substantial reason exists for foregoing such payment.

<http://intra/gia/matter.asp?matter=130443&file=true&yearFolder=Y2013>

**Resolution No. R-23-07**, adopted January 25, 2007, approving a development lease agreement between Miami-Dade County and Tamiami Air, Inc., for construction of aircraft hangar at Kendall-Tamiami Executive Airport.

<http://www.miamidade.gov/govaction/matter.asp?matter=063387&file=true&fileAnalysis=false&yearFolder=Y2006>

**Resolution No. R-597-05**, adopted May 19, 2005, approving a development lease agreement between Miami-Dade County and Miami Executive Aviation (MEA's) construction and use of a hangars storage and air craft maintenance facility at Opa-Locka Airport.

<http://www.miamidade.gov/govaction/matter.asp?matter=050891&file=true&fileAnalysis=false&yearFolder=Y2005>

**Administrative Order (A.O.) No 8-4** sets forth the County's processes and procedures for the sale, lease or otherwise dispose of County-owned real property lies solely with the Board of County Commissioners. Before action is taken on any proposed sale or lease of County-owned real property, unless expressly excluded herein, a recommendation will be requested from the Planning Advisory Board, to indicate whether such proposal is in the public interest and also recommending proper land use classification if applicable. Should a recommendation not be received from the Planning Advisory Board within the time period provided within this administrative order, the Planning Department Director will provide a recommendation on the proposal.

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

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**Item No. 8A2 & 8A3**

**File No. 192790 & 192786**

**Researcher: JFP Reviewer: TD**

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND STANTEC CONSULTING SERVICES, INC.; FOR FUELING SYSTEM SERVICES AT MIAMI INTERNATIONAL AIRPORT AND GENERAL AVIATION AIRPORTS, CONTRACT NO. E18-MDAD-01B IN AN AMOUNT NOT TO EXCEED \$3,308,250.00 FOR A TERM OF SEVEN YEARS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE TERMINATION PROVISION CONTAINED THEREIN [SEE FILE NO. 192786]

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND T.Y. LIN INTERNATIONAL; FOR FUELING SYSTEM SERVICES AT MIAMI INTERNATIONAL AIRPORT AND GENERAL AVIATION AIRPORTS, CONTRACT NO. E18-MDAD-01A IN AN AMOUNT NOT TO EXCEED \$3,308,250.00 FOR A TERM OF SEVEN YEARS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE TERMINATION PROVISION CONTAINED THEREIN [SEE FILE NO. 192790]

**ISSUE/REQUESTED ACTION**

Whether the Board should approve two separate Professional Service Agreements (PSAs) for airport fueling system services under *Contract No. E18-MDAD-01B* for the Miami-Dade Aviation Department (MDAD), each at a contract amount of up to \$3,308,250, inclusive of a contingency allowance of \$300,000 (10%) for a term of seven years.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Aviation Department**

These items were forwarded to the BCC with a favorable recommendation by the Tourism and the Ports Committee at its January 15, 2020 meeting. Prior to passage, Commissioner Jordan sought clarification of the SBE contract measures as they relate to this contract. Namita Uppal, Chief Procurement Officer (ISD) stated that the SBE contract measures are A/E at 25% and G/S at .3%.

**ANALYSIS**

The purpose of this item is to establish PSAs with two Architectural and Engineering consultants, Stantec Consulting Services, Inc. (BCC Agenda Item 8A2 – File No. 192790) and T.Y. Lin International (BCC Agenda Item 8A3 – File No. 192786) to provide engineering consulting services to support all fuel facility related operations.

The funding sources for the two \$3,308,250 PSAs is Future Aviation Financing and Operating Fund under Proposed Budget and Multi-Year Capital Plan FY 19-20 Project No. 2000000096. The project scope includes design services for the upgrade, maintenance, repair and/or construction of the aviation fuel storage and distribution systems and facilities under MDAD's jurisdiction, including the following:

- Tank Farm, which handles/processes and houses the Jet-A fuel supplies for the airlines;
- Hydrant System, which transports Jet-A fuel to the ramp via underground pipelines;
- Midfield Gas Station, which dispenses vehicular fuel for airside vehicles;
- Employee Emergency Tank, which supplies vehicular fuel to airport employees in the event of a hurricane; and
- West Cargo Fuel Tender, which provides Jet-A fuel to tankers to fuel planes.

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**File No. 192790 & 192786**

**Researcher: JFP Reviewer: TD**

While MDAD's fueling system is in good condition, it requires specialized monitoring, testing, and upgrades and must meet regulatory compliance, thus necessitating fueling engineers for aviation fueling design services and in order to ensure uninterrupted fueling service.

Engineering services under the fueling PSAs will include the following projects:

- Inbound Filtration System Relocation;
- Fire Suppression System Design;
- One 95,600 barrel Jet Fuel Storage Tank, the construction of which will lessen the adverse impact of jet fuel supply disruptions and jet fuel inventory issues at Port Everglades;
- Fuel Facility Fire System Performance-Based Design Implementation;
- Fueling Master Plan Update; and
- Fueling Atlas Update

A 25% SBE A/E goal and .3% SBE G/S goal applied to the solicitation. The minimum qualifications required the prime consultant to have experience in planning, feasibility studies, design, and construction phase services for large commercial airport aviation fueling systems. The solicitation was advertised on October 3, 2018, yielding four respondents. The final rankings after First and Second Tier proceedings were:

- 1) T.Y. Lin International – 476 points;
- 2) Stantec Consulting Services, Inc. – 467 points;
- 3) Burns & McDonnell Engineering Company, Inc. – 457 points;
- 4) HDR Engineering, Inc. – 445 points.

The two highest-ranked firms, T.Y. Lin International and Stantec Consulting Services, Inc. are being recommended for award.

Pursuant to Resolution No. R-421-16, OCA conducted a performance record verification in the Capital Improvements Information System on January 27, 2020 with the following findings.

<b>Awarded Firm</b>	<b>Previous Agreements with the County in the Past Three Years</b>	<b>Total Value of County Contracts</b>	<b>No. of Evaluations</b>	<b>Average Evaluation Rating (out of a possible 4.0)</b>
Stantec Consulting Services, Inc. (BCC Agenda Item 8A2 – File No. 192790)	3	\$5,754,470.26; \$95,000 in change orders.	14	3.8
T.Y. Lin International (BCC Agenda Item 8A3 – File No. 192786)	6	\$17,953,036.80	7	4.0

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

Awarded Firm	Subconsultants/ Subcontractors and Contract Measures	Corporate Registration	Tax Collector's Office	Florida DBPR	Litigation (Westlaw)
Stantec Consulting Services, Inc. (BCC Agenda Item 8A2 – File No. 192790)	SBE A/E Subconsultants (25% SBE A/E goal):	Foreign Profit Corporation	Business Address: 901 Ponce de Leon Blvd., Suite 900 Coral Gables, FL 33134	License Types: Architect Business; Landscape Architect Business; Geology Business	<i>Gilberti v. Adrurra Group Inc, et al</i> (Case No. 8:19- cv-2012-T-33AAS). Filed on August 9, 2019 in U.S. District Court, Middle District of Florida (Tampa). Allegation: Racketeer Influenced and Corrupt Organizations (RICO) Act lawsuit. Defendants purposely designed massive unsustainable infrastructure systems between polluted regional rivers, causing higher cancer and disease rates. Stantec Consulting Services, Inc. is one of six defendants in this case. Case Status: Defendants' Motion to Dismiss granted; Notice of Appeal filed on December 27, 2019.
	Architects International, Inc. (7%; \$231,578)	Active	Status: Paid and Current		
	Disamerica Consulting Group, Inc. (9%; \$297,743)	Principal Address: 370 Interlocken Blvd., Suite 300 Broomfield, CO 80021			
	EBS Engineering, Inc.(9%, \$297,743)	Filed: November 14, 2001			
	SBE G/S Subcontractors (0.3% SBE G/S goal):				
	HR Engineering Services, Inc. (2%; \$66,165)				<i>Abrams Kiewitt v. Stantec</i> (Case No. D-1-GN-18- 004199). Filed on August 8, 2018 in 250 <sup>th</sup> Judicial District Court, Travis County, Texas. Allegation: Plaintiff claims defendant failed to adequately perform work on a \$500 million highway construction project in El Paso, with failures in all disciplines and in all

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					design phases, causing plaintiff to suffer millions of dollars in damages. Case Status: Awaiting Court action.
T.Y. Lin International (BCC Agenda Item 8A3 – File No. 192786)	<p>SBE A/E Subconsultants (25% SBE A/E goal):</p> <p>Avino &amp; Associates, Inc. (7.8%; \$234,000)</p> <p>Nifah and Partners Consulting Engineers, Inc. (7.8%; \$234,000)</p> <p>Nova Consulting, Inc. (7.8%; \$234,000)</p> <p>HR Engineering Services (2%; \$60,000)</p> <p>SBE G/S Subcontractors (0.3% SBE G/S goal):</p> <p>Cenoffi, Inc. (0.3% ; \$9,000)</p>	<p>Foreign Profit Corporation</p> <p>Active</p> <p>Principal Address: 345 California Street, Suite 2300 San Francisco, CA 94104</p> <p>Filed: June 12, 1975</p>	<p>Business Address: 201 Alhambra Circle, Suite 900 Coral Gables, FL 33134</p> <p>Status: Paid and Current</p>	<p>License Types: Architect Business; Landscape Architect Business; Geology Business</p>	<p><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 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. Case Status: Awaiting Court action.</p>

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**DEPARTMENTAL INPUT**

OCA posed the following questions to MDAD. The responses are delineated below in bold.

- Please explain what accounted for the delay in bringing this item before the Board, given that the solicitation was advertised in October 2018. **The time it took for this A/E solicitation is fairly common, about a year. After advertisement in Dec. 2018, the final contracts awards were ready in November 2019 and processed for the December TAPS meeting. As you know the Dec. 2019 TAPS was cancelled so the items were moved to January 2020 TAPS.**
- Please detail the current state of MDAD's fueling systems and the present need for these fueling system design services. **Our system is in good condition, but it is a dynamic and sensitive system requiring specialized monitoring, testing, and upgrades as well as meeting regulatory compliance. It also ensures uninterrupted fueling services. For example, the following are some of the projects for which engineering services under the Fueling PSA's will be used:**
  - **Inbound Filtration System Relocation**
  - **Fire Suppression System Design**
  - **One 95,600 barrel Jet Fuel Storage Tank. The construction of the Jet Fuel Storage Tank will lessen the adverse impact of jet fuel supply disruptions and jet fuel inventory issues at Port Everglades.**
  - **Fuel Facility Fire System Performance-Based Design Implementation**
  - **Fueling Master Plan Update**
  - **Fueling Atlas Update**
- Does MDAD have in-house engineers capable of providing these design services for airport fueling systems? If so, please explain the decision to contract with consultants for this purpose. **The MDAD does not have in-house fueling engineers for aviation fuel design services**

**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](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0287/0287.html)

**Section 2-10.4 of the County Code** governs the County's acquisition of professional architectural, engineering, landscape architectural or land surveying and mapping services.

[https://library.municode.com/fl/miami-dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-10.4ACPRARENLAARLASUMASE](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE)

**Section 2-10.4.01 of the County Code** sets forth the County's Small Business Enterprise Architecture and Engineering Program.

[https://library.municode.com/fl/miami-dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-10.4.01SMBUENARENPR](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4.01SMBUENARENPR)

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**Researcher: JFP Reviewer: TD**

**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>



**BCC Meeting: February 4, 2020**  
**Research Notes**

**Item No. 8C1**  
**File No. 192980**

**Researcher: JFP Reviewer: TD**

RESOLUTION AUTHORIZING THE FUNDING OF 28 GRANTS FOR A TOTAL OF \$190,000.00 FROM THE DEPARTMENT OF CULTURAL AFFAIRS FISCAL YEAR 2019-2020 COMMUNITY GRANTS PROGRAM – SECOND QUARTER FOR VARIOUS ENTITIES; WAIVING RESOLUTION NO. R-130-06; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE GRANT AGREEMENTS AND TO EXERCISE ALL PROVISIONS, INCLUDING THE CANCELLATION PROVISIONS, CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize the funding of 28 grants, totaling \$190,000, from the Second Quarter funds of the Department of Cultural Affairs Fiscal Year 2019-2020 Community Grants Program, and allow waiver of R-130-06 so that the proposed resolution may be placed on the commission agenda, even though the grant agreement has yet to be executed by the other parties, in order to expedite the grant process.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Department of Cultural Affairs**

This item was forwarded to the BCC with a favorable recommendation by the Parks, Recreation, and Cultural Affairs Committee at its January 16, 2020 meeting.

**ANALYSIS**

The purpose of this item is to authorize a total of \$190,000 in grant funding from the Department of Cultural Affairs’ FY 2019-20 Community Grants Program – Second Quarter to the following 28 grantees:

<b>Grantee</b>	<b>District Location(s) of Project Activity</b>	<b>Recommended Award</b>
4Ward Miami, Inc. d/b/a Gay8 Festival	5, 7	\$6,306
AYUDA, Inc. a/f/a Sunflower Society, Inc.	3, 5	\$6,306
Brazilian Voices, Inc.	3	\$6,306
Center for the Advancement of Jewish Education, Inc.	3, 4, 5, 6, 7	\$12,613
Dimensions Variable, Inc.	2	\$5,887
Dr. Martin Luther King, Jr., Parade and Festivities Committee, Inc.	2, 3	\$8,410
Florida International University Board of Trustees, for the benefit of Miami Beach Urban Studios	5	\$5,046
Florida Shakespeare Theater, Inc.	4, 7, 12	\$6,306
France-Florida Foundation for the Arts, Inc.	3, 5, 7	\$6,306
Girasol Foundation Inc	3, 5	\$6,306
Global Arts Project, Inc.	5	\$6,306
Haitian American Youth Organization, Inc.	11	\$3,751
Illuminarts, Inc. a/f/a Juraj Kojs	7	\$6,306
Kaleidoscope MusArt, Inc.	3, 6, 7	\$6,306
Miami-Dade County Black Affairs Advisory Board	8	\$6,306
Miami International Ballet Competition Inc.	4	\$5,046

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Miami International Jazz Fest, Inc.	5	\$6,306
Miami Shores Village	3	\$6,306
Miami Wind Symphony, Inc.	11	\$6,306
Path: Preserving Archiving & Teaching Hiphop, Inc. a/f/a Spoken Soul Festival	3	\$6,306
Power Access, Inc.	5	\$6,306
Rise Kem Cultural Productions, Inc.	4, 11	\$6,306
Rotary Foundation of South Miami, Inc.	7	\$12,613
St. Patrick's Day Committee, Inc.	7	\$6,306
St. Sophia Greek Orthodox Community	5	\$8,410
The Dance NOW! Ensemble, Inc. a/f/a Miami Dance Hub, Inc.	5	\$6,306
United Jewish Generations, Inc.	4	\$6,306
Village of Pinecrest	8	\$8,410
<b>TOTAL</b>		<b>\$190,000</b>

The Cultural Affairs Council approved the grantees at their November 20, 2019 meeting, based on the November 7, 2019 recommendations of the Community Grants Panel. Each applicant organization was evaluated based on the following criteria:

- 1) quality of the program;
- 2) administrative capability;
- 3) marketing strategy
- 4) fundraising efforts; and
- 5) geographic location of event

A total of \$660,000 was allocated for FY 2019-20 Community Grants in the Fiscal Year 2019-20 County budget ordinance. With the proposed second quarter \$190,000 disbursement, \$285,000 will remain for the subsequent quarters.

The requested waiver of Resolution No. R-130-06, requiring that contracts with non-governmental entities be signed by the other parties before being placed on the commission agenda, intends to expedite the execution of the grant agreements, saving one to two months' time in an already lengthy grant process.

**ADDITIONAL INFORMATION**

**The Community Grants Program**

The Community Grants (CG) Program is responsive on a quarterly basis to not-for-profit organizations developing small and large-scale community-based cultural (dance, theater, music, visual arts) programs, as well as projects and events, such as fairs, parades, neighborhood festivals and publications that have a strong artistic component.

The CG panel considers projects with strong community involvement and/or outreach component. The CG Program is particularly sensitive to the needs of indigenous cultural neighborhood activities and projects encouraging the preservation of heritage, traditions and culture, as well as social service organizations and cultural groups developing collaborative intervention projects using the arts.

<http://www.miamidadearts.org/community-grants-cg-program>

**BCC Meeting: February 4, 2020**  
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**Item No. 8C1**  
**File No. 192980**

**Researcher: JFP Reviewer: TD**

**APPLICABLE LEGISLATION/POLICY**

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

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

**BCC Meeting: February 4, 2020  
Research Notes**

**Item No. 8E1  
File No. 192982**

**Researcher: VW    Reviewer: PGE**

RESOLUTION APPROVING THE PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND LANDERA ASSOCIATES, P.A., PROJECT NO. A18-MDFR-01-B, FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES AND CONSTRUCTION ADMINISTRATION OF MIAMI-DADE FIRE RESCUE STATIONS 6 AND 17 IN AN AMOUNT NOT TO EXCEED \$891,845.40, INCLUSIVE OF A CONTINGENCY ALLOWANCE OF \$76,531.40; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE PROVISIONS CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve a Professional Services Agreement (PSA) between the County and Landera Associates, P.A. for *Project No. A18-MDFR-01-B*, for architectural and engineering design and construction administration services of Miami-Dade Fire Rescue Stations 6 and 17 in a total amount not to exceed \$891,845.40, inclusive of a \$76,531.40 contingency allowance, for a five-year term.

**PROCEDURAL HISTORY**

**Prime Sponsor:** N/A

**Department/Requester:** Fire Rescue

This item was forwarded to the BCC with a favorable recommendation by the Public Safety and Rehabilitation Committee at its January 15, 2020 meeting. Prior to passage, the following discussion transpired:

- Commissioner Martinez questioned Interim Fire Chief Alan Cominsky on whether the fire stations being built under the discussed PSA would be similar to already existing fire stations or a new model.
- Interim Fire Chief Cominsky replied that the fire stations would be of a newer, more energy efficient design.
- Commissioner Diaz asked why in-house staff could not perform the design services specified under the PSA.
- Assistant Director, Budget, Planning & Grants Management of MDFR Scott Mendelsberg replied that MDFR architects designed Stations 62 and 29 and are working on three more stations (i.e., 18, 71, and 72); given that, MDFR does not have in-house capacity to design the stations under this PSA.

**ANALYSIS**

The purpose of this item is for the Board to authorize a PSA for a maximum amount of \$891,845.40 between the County and Landera Associates, P.A. for architectural and engineering design and construction administration services for fire stations 6 and 17. That maximum amount includes a 10 percent contingency allowance of \$76,531.40. The award is for a five-year term, inclusive of a one-year warranty period. Note that the award is one of three awards on the agenda for the design of various MDFR stations.

Station 6 is located at 15890 SW 288 St., which lies in Commission District 8, represented by Commissioner Daniella Levine-Cava. Station 17 is located at 7050 NW 36<sup>th</sup> St., which lies in Commission District 12, represented by Commissioner Jose "Pepe" Diaz. These stations will replace obsolete facilities. Based on information provided by Assistant Director, Budget, Planning & Grants Management of MDFR Scott Mendelsberg, Commission District 8 currently has eight stations: Stations 6, 60, 5, 70, 55, 50, 4, and 53. Commission District 12 has eight stations: stations 46, 28, 69, 45, 48, 17, 29 and 58.

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**Item No. 8E1**

**File No. 192982**

**Researcher: VW   Reviewer: PGE**

Under the PSA, the consultant agrees to provide complete professional architectural and engineering services for the five-phase project, including all civil and structural engineering, interior design, mechanical and plumbing, electrical, landscape and LEED design and certification. The Project Phases are: (1) Site Investigation, Programming and Schematic Design; (2) Design Development; (3) Construction Documents Development; (4) Bidding and Award of Contract; and (5) Administration of the Construction Contract.

Key services to be provided by the consultant as delineated in the Scope of Services are:

- Full architectural and engineering services necessary to prepare the architectural program, construction plans and specifications, and bid documents.
- Assessment of current site conditions.
- Developing technical specification and construction documents.
- Developing Furniture, Fixtures and Equipment (FF&E) recommendations and schedules.
- Estimating probable construction costs.
- Providing complete and biddable construction documents for a design that conforms with the governing edition of the Florida Building Code, its referenced codes, and local amendments as applicable.
- Providing construction documents that include but are not to be limited to all required space layouts, including all fixed cabinetry, casework, coordination of FF&E with electrical, Heating, Ventilation and Air Conditioning (HVAC), plumbing, and structural supports for all required equipment.
- Providing interior design services necessary to detail and specify all finished surfaces and assemblies, including color schemes for the owner's review and approval, and building presentation renderings.

There are six subconsultants as set forth in the mayoral memorandum – Gartek Engineering Corporation; Langan Engineering & Environmental; Ingelmo Associates, P.A.; Manuel G. Vera and Associates, Inc.; Landscape DE LLC; Spinnaker Group LLC. Of the subconsultants, two are certified SBEs. The PSA includes an SBE 32 percent goal.

The Notice to Professional Consultants (NTPC) was advertised on March 8, 2019. A total of 11 proposals were received by the April 19, 2019 submittal deadline. The NTPC has three groups – A (Stations 4, 5 and 63), B (Stations 6 and 17) and C (Stations 9 and 19). Group B Stations 6 and 17 are the subject of this award to Landera Associates. The County Mayor's designee approved the Negotiations Committee on July 8, 2019 and negotiations were completed for Group B on October 24, 2019. The table below provides the ranking of the top firms and their total qualitative points.

Ranking	Firms	Points
1	Alleguez Architecture, Inc.	274
2	Landra Associates, P.A.	270
3	Silva Architects, Inc.	265

Article 5 of the PSA sets forth the basis of compensation. This is a lump sum PSA, i.e., the consultant agrees to perform services for an agreed fixed dollar amount. The aggregate sum for all payments to the consultant for basic services is limited to \$380,000 for Station 6 and \$385,314 for Station 17. The table below depicts the PSA's cost breakdown, including design of stations, reimbursable expenses and the contingency allowance.

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**Researcher: VW    Reviewer: PGE**

<b>Fire Station No.</b>	<b>Contract Amount</b>	<b>Contingency Amount</b>	<b>Reimbursable Expenses (e.g., LEED/Environmental, printing and plan review fees)</b>
6 (District 8)	\$380,000	\$38,000	\$25,000
17 (District 12)	\$385,314	\$38,531	\$25,000
<b>SUBTOTAL</b>	<b>\$765,314</b>	<b>\$76,531</b>	<b>\$50,000</b>
		<b>GRAND TOTAL</b>	<b>\$891,845</b>

Figures 1 and 2 below show the location of the two proposed fire stations, which have an asset life expectancy of 50 years.

**Figure 1**

Fire Station No. 6 is located at 15890 SW 288<sup>th</sup> St. Homestead, FL in District 8.



*Source: MDC Property Appraiser's Office*



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**Researcher: VW    Reviewer: PGE**

**Figure 2**

Fire Station No. 17 is located at 7050 NW 36<sup>th</sup> St. Miami, FL in District 12.



*Source: MDC Property Appraiser's Office*

OCA reviewed the Capital Improvements Information System on January 30, 2020 and found 10 evaluations for Landera Associates with an average rating of 4.0 out of a possible 4.0. According to the mayor's memo, Landera Associates, P.A., the prime consultant, holds the following certifications: Architecture; Architectural Construction Management; and ADA Tile II Consultant.

OCA conducted due diligence on January 30, 2020 pertaining to Landera Associates, P.A., the firm being recommended for award, and the six subconsultants; the results are shown below. The firms marked with an asterisk (\*) are listed as SBEs in BMWS.

Awarded Firm	Corporate Registration	Tax Collectors Office	Florida DBPR	Westlaw
Landera Associates, P.A.	Florida Profit Corporation  Active  Principal Address: 8800 S.W. 85 Terrace Miami, FL 33173  Filed: March 20, 2001	Business Address: 8800 S.W. 85 Terrace Miami, FL 33173  Status: Paid and Current	Status: Active  Licensed for: Architect Business	No cases on file



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<b>Awarded Subconsultants</b>	<b>Corporate Registration</b>	<b>Tax Collectors Office</b>	<b>Florida DBPR</b>	<b>Westlaw</b>
Gartek Engineering Corporation*	Florida Profit Corporation  Active  Principal Address: 7210 SW 39 <sup>th</sup> Terrace Miami, FL  Filed: October 16 <sup>th</sup> , 1980	Business Address: 7210 SW 39 <sup>th</sup> Terrace Miami, FL  Status: Paid and Current	Status: Active  Licensed for: Registry	No cases on file
Langan Engineering and Environmental Services Inc.	Foreign Profit Corporation  Active  Principal Address: 300 Kimball Drive, 4th Floor Attn: Mr. David Feng Parsippany, NJ 07054  Filed: March 16 <sup>th</sup> , 1993	Business Address: 15150 NW 79 Ct Ste 200 Miami Lakes, FL  Status: Paid and Current	Status: Active  Licensed for: Asbestos Consultant, Asbestos Business, Geology Business, Registry	No cases on file
Ingelmo Associates PA.	Florida Profit Corporation  Active  Principal Address: 250 Catalonia Avenue Suite 301 Coral Gables, FL  Filed: February 1 <sup>st</sup> , 2006	Business Address: 250 Catalonia Avenue Suite 301 Coral Gables, FL  Status: Paid and Current	Status: Active  Licensed for: Registry	No cases on file
Manuel G. Vera & Associates, Inc.	Florida Profit Corporation  Active  Principal Address: 13960 SW 47 <sup>th</sup> Street Miami, FL  Filed: April 27 <sup>th</sup> , 1977	Business Address: 13960 SW 47 <sup>th</sup> Street Miami, FL  Status: Paid and Current	Status: Null and void	No cases on file

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Landscape DE, LLC*	Florida Limited Liability Company  Active  Principal Address: 937 Sunset Road Coral Gables, FL 33143  Filed: April 4 <sup>th</sup> , 2012	Business Address: 937 Sunset Road Coral Gables, FL  Status: Paid and Current	Status: Active  Licensed for: Landscape Architect Business	No cases on file
Spinnaker Group LLC	Florida Limited Liability Company  Active  Principal Address: 1409 Georgia Ave. West Palm Beach, FL  Filed: October 22 <sup>nd</sup> , 2018	Nothing Found	Nothing Found	No cases on file

**DEPARTMENTAL INPUT**

OCA sent an inquiry to MDRF on January 7, 2020; MDRF responded on January 8, 2020 and the response is shown in bold.

- Please indicate whether the requested architecture and engineering services can be performed in-house and the number of architects and engineers MDRF has on staff. If so, why is a consultant being hired to perform the work? **Miami-Dade Fire Rescue currently has two architects on staff. One is the Facilities Maintenance and Construction Division Manager who will be retiring in July. We will attempt to fill the position with someone who is a registered architect or professional engineer, but it has not been a historical job requirement. MDRF used in house staff to design station 62, recently opened and completed in Palmetto Bay, and also designed Station 29 in Sweetwater, a rebuild of an existing station that will be complete later this year. Additional projects slated for in-house design this year include Station 18 in North Miami, Station 71 on Eureka Drive in south Miami-Dade and Station 72 in Florida City. With those three new station projects being done in house, MDRF will not have the capacity to concentrate on the fire station rebuilds and therefor is seeking the services of private sector Architectural and Engineering firms to complete the work. Each firm selected has previously completed fire station designs for MDRF. Alleguez Architecture previously designed Station 64 in Miami Lakes and MDRF's first solar powered fire station, station 68, that is about to be put out for construction bids. There are two more A/E PSAs with other firms to design 4 additional rebuilds that should be accompanying this one.**

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**ADDITIONAL INFORMATION**

OCA performed an Internet search regarding Landera Associates, P.A. on January 13, 2020. According to the company's website, the firm has 25 years of experience in architectural and roofing related services for public and private clients. The firm provides both architecture and planning services such as programming and consulting, preliminary design, design and construction documents, construction administration, and roof consulting services.

<http://www.landeraassociates.com/index.html>

**APPLICABLE LEGISLATION/POLICY**

**Section 287.055 of the Florida Statutes** sets forth the Consultants' Competitive Negotiation Act, governing the processes for the acquisition of professional architectural, engineering, landscape architectural or surveying and mapping services.

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

**Section 2-10.4 of the County Code** governs the County's acquisition of professional architectural, engineering, landscape or land surveying mapping services.

[https://library.municode.com/fl/miami\\_-\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-10.4ACPRARENLAARLASUMASE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE)

**Section 2-10.4.01 of the County Code** sets forth the County's Small Business Enterprise Architecture and Engineering Program.

[https://library.municode.com/fl/miami\\_-\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-10.4.01SMBUENARENPR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4.01SMBUENARENPR)

**Section 2-8.1 of the County Code** requires that the award recommendation memorandum presented to the Board identify each dedicated allowance, contingency allowance and additional services allowance including the specific purpose for each and the dollar amount that shall be available for each and the corresponding percentage of each dedicated allowance, contingency allowance and additional services allowance in relation to the actual contract price.

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

**Section 2-8.3 of the County Code (County Mayor's Recommendation)** states that whenever a competitive process is utilized for selection of a contractor, vendor, consultant, tenant or concessionaire, the County Mayor shall review the responses to the solicitation and recommend to the County Commission award or other appropriate action. Such recommendation shall be in writing and shall be filed with the Clerk of the Board, with copies mailed to all participants in the competitive process, no later than 10 days prior to any Commission meeting at which such recommendation is scheduled to be presented. Such recommendation shall be accompanied by a memorandum from the County Mayor that clearly identifies any and all delegations of Board authority contained in the body of the proposed contract.

[https://library.municode.com/fl/miami\\_-\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.3MARE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.3MARE)

**Implementing Order No. 3-32** sets forth procedures for the County's small business enterprise architecture and engineering program.

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

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**Researcher: VW   Reviewer: PGE**

**Administrative Order No. 3-26** requires certain agreements for professional architectural and engineering services to include value analysis.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-26.pdf>

**Administrative Order No. 3-42** sets forth procedures for the evaluation and suspension of contractors and consultants.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-42.pdf>

**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, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

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

**Resolution No. R-421-16**, adopted by the Board on May 17, 2016, requires the County Mayor or the County Mayor's designee to attach to all items recommending design and/or construction contract awards of \$1,000,000 or greater a list of all County contracts awarded in the previous three years to the recommended contractor and a summary of County evaluations of the recommended contractor's work.

<http://intra/gia/matter.asp?matter=160124&file=true&yearFolder=Y2016>

**Resolution No. R-828-19**, adopted July 23, 2019, established a policy of Miami-Dade County for disclosure of past and present discrimination lawsuits in solicitation submissions.

<http://www.miamidade.gov/govaction/matter.asp?matter=190936&file=true&fileAnalysis=false&yearFolder=Y2019>

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

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

**BCC Meeting:  
February 4, 2020  
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**Item No. 8E2  
File No. 192986**

**Researcher: MF   Reviewer: PGE**

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND ALLEGUEZ ARCHITECTURE, PROJECT NO. A18-MDFR-01-A, FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES AND CONSTRUCTION ADMINISTRATION OF MIAMI-DADE FIRE RESCUE STATIONS 4, 5 AND 63 IN AN AMOUNT NOT TO EXCEED \$1,470,900, INCLUSIVE OF A CONTINGENCY ALLOWANCE OF \$126,900; AUTHORIZING THE COUNTY OR COUNTY MAYOR'S DESIGNEE TO EXECUTE PROVISIONS CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve a Professional Services Agreement (PSA) between the County and Alleguez Architecture, Inc. for *Project No. A18-MDFR-01-A*, for architectural and engineering design and construction administration services of Miami-Dade Fire Rescue Stations 4, 5 and 63 in a total amount not to exceed \$1,470,900, inclusive of a \$126,900 contingency allowance, for a five-year term.

**PROCEDURAL HISTORY**

**Prime Sponsor:** N/A

**Department/Requester:** Fire Rescue (MDFR)

This item was heard at the Public Safety and Rehabilitation (PSR) Committee meeting of January 15, 2020 and forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

The purpose of this item is for the Board to authorize a PSA for a maximum of \$1,470,900 between the County and Alleguez Architecture, Inc. for architectural and engineering design and construction administration services for fire stations 4, 5 and 63. That maximum amount includes a 10% contingency allowance of \$126,900. The award is for a five-year term, inclusive of a one-year warranty period. Note that the award is one of three awards on the agenda for the design of various MDFR stations.

Station 4 is located at 9201 SW 152 St., and Station 5 is located at 13150 SW 238 St., both of which lie in Commission District 8, and represented by Commissioner Daniella Levine Cava. Station 63 is located at 1655 NE 205 St., which lies in Commission District 1, and represented by Commissioner Barbara J. Jordan.

Under the PSA, the consultant agrees to provide complete professional architectural and engineering services for the five-phase project, including all civil and structural engineering, interior design, mechanical and plumbing, electrical, landscape and LEED design and certification. The Project Phases are: (1) Site Investigation, Programming and Schematic Design; (2) Design Development; (3) Construction Documents Development; (4) Bidding and Award of Contract; and (5) Administration of the Construction Contract.

Key services to be provided by the consultant as delineated in the Scope of Services are:

- Submit full architectural and engineering services necessary to prepare the Architectural Program, Construction Plans and Specifications, and Bid Documents, et al
- Assess current site conditions
- Develop technical specification and constructions documents
- Develop furniture, fixtures and equipment recommendations and schedule

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- Indicate on floor plans the location of all items
- Provide estimates of probable construction costs

There are six subconsultants as set forth in the mayoral memorandum: SRS Engineering, Inc., Bliss & Nyitray, Inc., SDM Consulting Engineers, Inc., Laura Llerena & Associates, Inc., J. Bonfill & Associates, Inc., and Nutting Engineers of Florida, Inc. Of the six subconsultants, two are certified SBEs. The PSA includes an SBE 32% goal.

The Notice to Professional Consultants (NTPC) was advertised on March 8, 2019. A total of 11 proposals were received by the April 19, 2019 submittal deadline. The NTPC has three groups – A (Stations 4, 5 and 63), B (Stations 6 and 17) and C (Stations 9 and 19). Group A Stations 4, 5 and 63 are the subject of this award to Alleguez Architecture, Inc. The County Mayor's designee approved the Negotiations Committee recommendation on July 8, 2019 and negotiations were completed for Group A on October 24, 2019. Table 1 provides the ranking of the top firms and their total qualitative points.

**Table 1**

Ranking	Firms	Points
1	Alleguez Architecture, Inc.	274
2	Landra Associates, P.A.	270
3	Silva Architects, Inc.	265

Article 5 of the PSA sets forth the basis of compensation. This is a lump sum PSA, i.e., the consultant agrees to perform services for an agreed fixed dollar amount. The aggregate sum for all payments to the consultant for basic services is limited to \$390,000 for Station 4, \$390,000 for Station 5, and \$489,000 for Station 63. Table 2 depicts the PSA's cost breakdown, including design of stations, reimbursable expenses and the contingency allowance.

**Table 2**

Fire Station No.	Contract Amount	Contingency Amount	Reimbursable Expenses (e.g., LEED/Environmental, printing and plan review fees)
4 (District 8)	\$390,000	\$39,000	\$25,000
5 (District 8)	\$390,000	\$39,000	\$25,000
63 (District 1)	\$489,000	\$48,900	\$25,000
SUBTOTAL	\$1,269,000	\$126,900	\$75,000
		<b>GRAND TOTAL</b>	<b>\$1,470,900</b>



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Figures 1, 2 and 3 below show the location of the three proposed fire stations, which have an asset life expectancy of 50 years.

**Figure 1**

Fire Station No. 4 is located at 9201 SW 152 St., Miami, FL in District 8.



*Source: MDC Property Appraiser's Office*

**Figure 2**

Fire Station No. 5 is located at 13150 SW 238 St., Miami, FL in District 8.



*Source: MDC Property Appraiser's Office*



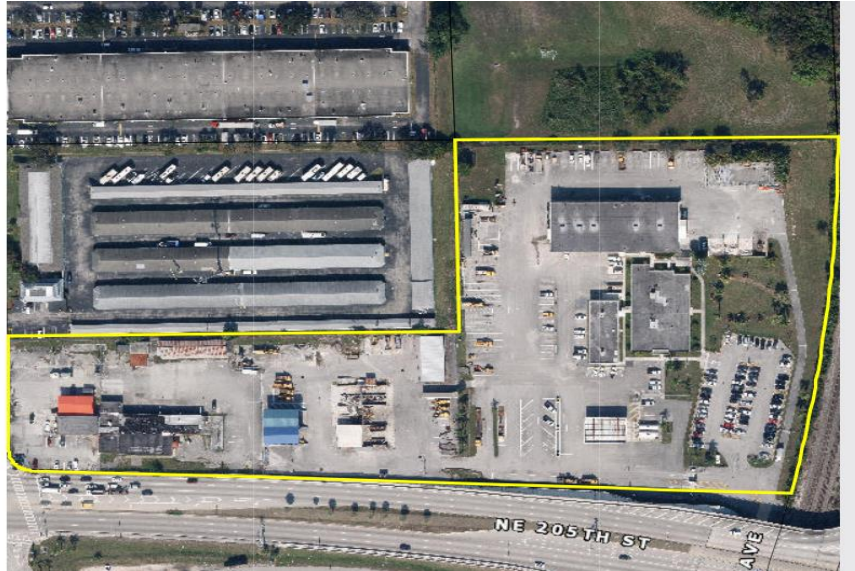
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**Figure 3**

Fire Station No. 63 is located at 1655 NE 205 St., Miami, FL in District 1.



*Source: MDC Property Appraiser's Office*

OCA reviewed the Capital Improvements Information System on January 7, 2020 and found nine evaluations for Alleguez Architecture, Inc., with an average rating of 3.5 out of a possible 4.0. According to the mayor's memo, Alleguez Architecture Inc., the prime consultant, holds the following certifications: Architecture; Architectural Construction Management; and ADA Title II Consultant.

OCA performed a search for commodity codes 9.02 (Soils, Foundations and Materials Testing-Geotechnical and Materials Engineering Services); 10.01 (Environmental Engineering-Stormwater Drainage Design Engineering Services); 15.01 (Surveying and Mapping-Land Surveying); and 15.03 (Underground Utility Location) on the Business Management Workforce System (BMWS) on January 8, 2020. There were 63 local firms with at least one of the required technical certifications listed.

Note: Not all commodity codes listed in the mayor's memo were available for viewing via BMWS.

OCA conducted due diligence on January 7, 2020 pertaining Alleguez Architecture, the firm being recommended for award, and the six subconsultants; the results are shown below. As previously noted, the PSA has a 32% SBE goal. The firms marked with an asterisk (\*) are listed as SBEs in BMWS.

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<b>Awarded Firm</b>	<b>Corporate Registration</b>	<b>Tax Collectors Office</b>	<b>Florida DBPR</b>	<b>Westlaw</b>
Alleguez Architecture Inc.	Florida Profit Corporation  Active  Principal Address: 7294 SW 48 St. Miami, FL  Filed: January 22, 2002	Business Address: 7294 SW 48 St. Miami, FL  Status: Paid and Current	Status: Active  Licensed for: Architect Business; Interior Design Business	No cases on file

<b>Awarded Subconsultants</b>	<b>Corporate Registration</b>	<b>Tax Collectors Office</b>	<b>Florida DBPR</b>	<b>Westlaw</b>
SRS Engineering, Inc.*	Florida Profit Corporation  Active  Principal Address: 5001 SW 74 Ct. Miami, FL  Filed: September 14, 1995	Business Address: 5001 SW 74 Ct. Miami, FL  Status: Paid and Current	Status: Active  Licensed for: Registry	No relevant cases
Bliss & Nyitray, Inc.	Florida Profit Corporation  Active  Principal Address: 5835 Blue Lagoon Drive, #400 Miami, FL  Filed: March 1, 1968	Business Address: 5835 Blue Lagoon Dr. #400 Miami, FL  Status: Paid and Current	Active  Licensed for: Registry	No relevant cases
SDM Consulting Engineers, Inc.	Florida Profit Corporation  Active  Principal Address: 135 Almeria Ave. Coral Gables, FL	Business Address: 135 Almeria Ave. Coral Gables, FL  Status: Paid and Current	Status: Active  Licensed for: Registry	No relevant cases

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	Filed: May 24, 1982			
Laura Llerena & Associates, Inc.	Florida Profit Corporation  Active  Principal Address: 13170 SW 128 St., #207 Miami, FL  Filed: April 22, 1980	Business Address: 13170 SW 128 St., #207 Miami, FL  Status: Paid and Current	Status: Active  Licensed for: Landscape Architect Business	No relevant cases
J. Bonfill & Associates, Inc.*	Florida Profit Corporation  Active  Principal Address: 7100 SW 99 Ave. #104 Miami, FL  Filed: July 14, 1989	Business Address: 7100 SW 99 Ave. #104 Miami, FL  Status: Paid and Current	Status: Active  Licensed for: Architect Business; Registry	No relevant cases
Nutting Engineers of Florida, Inc.	Florida Profit Corporation  Active  Principal Address: 1310 Neptune Dr. Boynton Beach, FL  Filed: February 16, 1967	Business Address: 2051 NW 112 Ave. #126 Miami, FL  Status: Paid and Current	Status: Active  Licensed for: Registry	No relevant cases

**ADDITIONAL INFORMATION**

OCA performed an Internet search regarding Alleguez Architecture Inc. on January 7, 2020. According to the firm's website, the company has architecture and engineering experience in the areas of education, institution, residential, retail and historic preservation. The firm is a member of the American Institute of Architects and the U.S. Green Building Council, and had been awarded several awards including: The South Florida Associated Builders and Contract's Award (2008); Miami-Dade College Hall of Fame for Outstanding Achievement in Architecture (2007); and Midnight Affairs Interior Design Awards (2004).

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

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**DEPARTMENTAL INPUT**

OCA sent an inquiry to MDRF on January 7, 2020; MDRF responded on January 8, 2020 and the response is shown in bold.

- Please indicate whether the requested architecture and engineering services can be performed in-house and the number of architects and engineers MDRF has on staff. If so, why is a consultant being hired to perform the work? **Miami-Dade Fire Rescue currently has two architects on staff. One is the Facilities Maintenance and Construction Division Manager who will be retiring in July. We will attempt to fill the position with someone who is a registered architect or professional engineer, but it has not been a historical job requirement. MDRF used in house staff to design station 62, recently opened and completed in Palmetto Bay, and also designed Station 29 in Sweetwater, a rebuild of an existing station that will be complete later this year. Additional projects slated for in-house design this year include Station 18 in North Miami, Station 71 on Eureka Drive in south Miami-Dade and Station 72 in Florida City. With those three new station projects being done in house, MDRF will not have the capacity to concentrate on the fire station rebuilds and therefor is seeking the services of private sector Architectural and Engineering firms to complete the work. Each firm selected has previously completed fire station designs for MDRF. Alleguez Architecture previously designed Station 64 in Miami Lakes and MDRF's first solar powered fire station, station 68, that is about to be put out for construction bids. There are two more A/E PSAs with other firms to design 4 additional rebuilds that should be accompanying this one.**

**APPLICABLE LEGISLATION/POLICY**

**Section 287.055 of the Florida Statutes** sets forth the Consultants' Competitive Negotiation Act, governing the processes for the acquisition of professional architectural, engineering, landscape architectural or surveying and mapping services.

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

**Section 2-10.4 of the County Code** governs the County's acquisition of professional architectural, engineering, landscape or land surveying mapping services.

[https://library.municode.com/fl/miami-dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-10.4ACPRARENLAARLASUMASE](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE)

**Section 2-10.4.01 of the County Code** sets forth the County's Small Business Enterprise Architecture and Engineering Program.

[https://library.municode.com/fl/miami-dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-10.4.01SMBUENARENPR](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4.01SMBUENARENPR)

**Section 2-8.1 of the County Code** requires that the award recommendation memorandum presented to the Board identify each dedicated allowance, contingency allowance and additional services allowance including the specific purpose for each and the dollar amount that shall be available for each and the corresponding percentage of each dedicated allowance, contingency allowance and additional services allowance in relation to the actual contract price.

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

**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. 3-32** sets forth procedures for the County's small business enterprise architecture and engineering program.

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

**Administrative Order No. 3-42** sets forth procedures for the evaluation and suspension of contractors and consultants.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-42.pdf>

**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, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

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

**Resolution No. R-421-16**, adopted by the Board on May 17, 2016, requires the County Mayor or the County Mayor's designee to attach to all items recommending design and/or construction contract awards of \$1,000,000 or greater a list of all County contracts awarded in the previous three years to the recommended contractor and a summary of County evaluations of the recommended contractor's work.

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<http://intra/gia/matter.asp?matter=160124&file=true&yearFolder=Y2016>

**Resolution No. R-828-19**, adopted July 23, 2019, established a policy of Miami-Dade County for disclosure of past and present discrimination lawsuits in solicitation submissions.

<http://www.miamidade.gov/govaction/matter.asp?matter=190936&file=true&fileAnalysis=false&yearFolder=Y2019>

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

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

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**Item No. 8E3  
File No. 192988**

**Researcher: IL Reviewer: TD**

RESOLUTION APPROVING THE PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND SILVA ARCHITECTS, LLC, PROJECT NO. A18-MDFR-01-C, FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES AND CONSTRUCTION ADMINISTRATION OF MIAMI-DADE FIRE RESCUE STATIONS 9 AND 19 IN AN AMOUNT NOT TO EXCEED \$891,500.00, INCLUSIVE OF A CONTINGENCY ALLOWANCE OF \$76,500.00; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE PROVISIONS CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve a Professional Services Agreement (PSA) between the County and Silva Architects, LLC., for *Project No. A18-MDFR-01-C*, to provide architectural and engineering design services and construction administration of Miami-Dade Fire Rescue Stations 9 and 19 in an amount not to exceed \$891,500 inclusive of a \$76,500 contingency allowance for a five year term, for the Miami-Dade Fire Rescue Department (MDA).

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

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

This item was brought before the Public Safety and Rehabilitation Committee on January 15, 2020, where it was forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

The purpose of this item is for the Board to authorize a PSA between the County and Silva Architects, LLC., (Silva) engineering, and design and construction services. This item is one of three award recommendations for the same type of services. The other two award recommendations (*Project No. A-18-MDFR-01-B* and *Project No. A18-MDFR-01-C*) are on today's agenda as companion Item Nos. 8E1 (Legistar No. 192982) and 8E2 (Legistar No. 192986).

MDFR requires the construction of station 9 and 19 because they have been deemed obsolete facilities in their current state. MDFR intends to have Silva design new fire stations, including a lobby, office area, work room, EMS Storage, exercise room, day room, kitchen, dorms, bathrooms, study room, parking area, and all related spaces to be constructed on County-owned property.

The Fiscal Impact to the County is \$891,500 for a five-year term one-year warranty period. The maximum amount includes a 10% contingency allowance of \$76,500. The project locations are 1.) Station 9, located at 7777 S.W. 117<sup>th</sup> Avenue, Miami, Florida 33183, Station 9, located in Commission District 10, represented by Commissioner Javier Souto and 2.) Station 19, located at 650 N.W. 131<sup>st</sup> Street, North Miami, Florida 33168, Station 19, located in Commission District 2, which is represented by Commissioner Jean Monestime. The funding source for this project is the "Capital Budget page 48 and 57 FY 2018-19. These stations will replace obsolete facilities.

Under the PSA, the consultant agrees to provide complete professional architectural and engineering services for the five-phase project, including all civil and structural engineering, interior design, mechanical and plumbing, electrical, landscape and LEED design and certification. The Project Phases are: (1) Site Investigation, Programming and Schematic Design; (2) Design Development; (3) Construction Documents Development; (4) Bidding and Award of Contract; and (5) Administration of the Construction Contract.



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

A. Silva Architects, LLC., Full Architectural and Engineering Services necessary to prepare the Architectural Program, Construction Plans and Specifications, and Bid Documents as well as to provide for Construction Supervision Services for the Miami-Dade Fire Rescue Department Various Stations.

B. Silva Architects, LLC., Develop technical specification and construction documents.

C. Silva Architects, LLC., Design services during construction including, but not limited to, reviewing and responding to all contractor submittals, review and respond to all contractor claims, Change Orders, review and respond to Request for Information, start-up and testing service and review of final certification documents provided by the contractor.

A Request to advertise was filed with the Clerk of the Board on March 7, 2019, under full and open competition. On April 19, 2019, the Clerk of the Board received eleven proposals in response to the solicitation. The advertisement has three groups – A (Stations 4, 5 and 63), B (Stations 6 and 17) and C (Stations 9 and 19). Group C Stations 9 and 19 are the subject of this award to Silva Architects, LLC.,

The first tier meeting was held on June 11, 2019; eleven firms were evaluated, and the Competitive Selection Committee (CSC) voted by majority, not to hold a Second-Tier meeting and recommended Alleguez Architecture, Inc., Landera Associates, P.A., and Silva Architects, Inc for Groups A, B, and C for negotiation and award. Negotiations concluded on October 24, 2019.

Below is Table 1 with list of respondents for the advertised project and their final ranking after the first-tier meeting.

**Table 1:**

<b>Firm</b>	<b>Principal Address per Sunbiz</b>	<b>Final Ranking</b>
Alleguez Architecture, Inc.	7294 S.W. 48 Street, Miami, FL 33155	1
Landera Associates, PA.	8800 S.W. 85 Terrace, Miami, FL 33173	2
Silva Architects, LLC.	135 San Lorenzo Ave, Suite 880, Coral Gables, FL 33146	3
Ferguson Glasgow Schuster Soto, Inc.	901 Ponce De Leon Blvd, Suite 304, Coral Gables, FL 33134	4
M C Harry & Associates, Inc.	2780 S.W. Douglas Road, Suite 302, Miami, FL 33133	5
Wolfberg Alvarez & Partners, Inc.	75 Aviation Avenue, Suite 1050, Coral Gables, FL 33134	6
Leo A Daly Company	5200 Blue Lagoon Drive, Suite 700, Miami, FL 33126	7
Perez Associates	Not Local	8
R E Chisholm Architects, Inc.	782 N.W. 42 <sup>nd</sup> Avenue, Suite #650, Miami, FL 33126	Not Ranked
Jorge A. Gutierrez Architect, LLC.	14400 N.W. 77 <sup>th</sup> Court, Suite 104, Miami Lakes, FL 33016	Not Ranked
BEA Architects, Inc.	3075 N.W. South River Drive, Miami, FL 33142	Not Ranked

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The Small Business Development Division recommended a 32 % SBE-A&E goal. The SBE- A&E goal will be met by Silva Architects, LLC. The firm Silva Architects, LLC., does not appear as a verified, certified SBE firm in the Business Management Workforce System (BMWS). However, the Mayor's memo stipulated that this firm is a certified SBE (See SBE Compliance memo)

Article 5 of the PSA sets forth the basis of compensation. This is a lump sum PSA, i.e., the consultant agrees to perform services for an agreed fixed dollar amount. The aggregate sum for all payments to the consultant for basic services is limited to \$380,000 for Station 9, and \$385,000 for Station 19. Table 2 depicts the PSA's cost breakdown, including design of stations, reimbursable expenses and the contingency allowance.

**Table 2**

Fire Station No.	Contract Amount	Contingency Amount	LEED/Environmental
9 (District 8)	\$380,000	\$38,900 (10% of \$380,000 subtotal)	\$25,000
19 (District 8)	\$385,000	\$38,500(10% of \$385,000 subtotal)	\$25,000
Subtotal	<b>\$765,000</b>	<b>\$76,500</b>	\$50,000
		<b>Grand Total</b>	<b>\$891,500</b>

OCA conducted a review of the technical certifications associated with the project on the Business Management Workforce System (BMWS) on January 31, 2020: (See the table below)

Prime/Other	Code	Description	Amount of SBE A/E firms identified in BMWS
Prime	14.00	Architecture	None
Prime	18.00	Architectural Construction Management	None
Prime	22.00	Ada Title II Consultant	None
Other	8.00	Telecommunication Systems	None
Other	9.02	Soils, Foundations and Materials Testing – Geotechnical Materials Engineering Services	Nine SBE firms identified
Other	10.01	Environmental Engineering - Stormwater Drainage Design Engineering Services	Forty-Six SBE firms identified
Other	11.00	General Structural Engineering	None
Other	12.00	General Mechanical Engineering	None
Other	13.00	General Electrical Engineering	None
Other	15.01	Surveying and Mapping – Land Surveying	Seventeen SBE firms identified
Other	15.03	Underground Utility Location	Eight SBE firms identified
Other	16.00	General Civil Engineering	None
Other	20.00	Landscape Architecture	None

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OCA conducted a review of the three awarded firms on January 31, 2020. The table below summarizes OCA's review of the selected firm.

Firm Name	Sunbiz	DBPR	Tax Collector	West Law
Alleguez Architecture, Inc.	Florida Profit Corporation  Principal Address: 7294 S.W. 48 Street, Miami, FL 33155.  Date Filed: 08/06/2002	License type: Architect Business  Main Address: 7294 S.W. 48 Street, Miami, FL 33155.  Active, no complaints on file.	Three accounts on file. Current Principal Address: 7294 S.W. 48 <sup>th</sup> Street, Miami, FL 33155	No cases
Landera Associates, PA.	Florida Profit Corporation  Principal Address: 8800 S.W. 85 Terrace, Miami, FL 33173  Date Filed: 03/20/2001	License type: Architect Business  Main Address: 8800 S.W. 85 <sup>th</sup> Terrace, Miami, FL 33173 Active: No Complaints on file.	One account on file. Current Principal 8800 S.W. 85 <sup>th</sup> Terrace, Miami, FL 33173	No cases
Silva Architects, LLC.	Florida Limited Liability Company  Principal Address: 135 San Lorenzo Ave, Suite 880, Coral Gables, FL 33146  Date Filed: 01/03/2006	License type: Architect Business  Main Address: 135 San Lorenzo Avenue, Coral Gables, FL 33146  Active: No Complaints	Three accounts on file. Current Principal Address: 135 San Lorenzo Ave, Suite 880, Coral Gables, FL 33146	

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OCA conducted a review of the awarded firm's sub-consultants on January 31, 2020. The table below summarizes OCA's review of the selected firm. Firms with asterisk are certified SBE's pursuant to the BMWS System.

<b>Awarded Subconsultants</b>	<b>Sunbiz</b>	<b>Florida DBPR</b>	<b>Tax Collectors Office</b>	<b>Westlaw</b>
Fraga Engineers, LLC.	Florida Limited Liability Company  Principal Address: 5001 SW 74 Ct. Miami, FL  Date Filed: January 3, 2006	License type: Architect Business  Main Address: 135 San Lorenzo Avenue, Suite 890, Coral Gables, Florida 33146  No Complaints on File	Business Address: 135 San Lorenzo Avenue, Suite 890, Coral Gables, Florida 33146  Status: Paid and Current	No relevant cases
American Testing Materials Engineering, LLC.*	Florida Limited Liability Company  Principal Address: 1950 West 84 <sup>th</sup> Street, Hialeah, FL 33014  Date Filed: November 08, 2016	License type: Registry  Main Address: 1950 W 84 <sup>th</sup> Street, Hialeah, Florida 33014  No Complaints on File	Business Address: 1950 West 84 <sup>th</sup> Street, Hialeah, FL 33014  Status: Paid and Current	No relevant cases

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<b>Awarded Subconsultants</b>	<b>Sunbiz</b>	<b>Florida DBPR</b>	<b>Tax Collectors Office</b>	<b>Westlaw</b>
Ambro Inc.*	Florida Profit Corporation  Principal Address: 13335 S.W. 124 <sup>th</sup> Street, #111 Miami, FL 33186  Date Filed: June 24, 1991	License type: Registry  Main Address: 13335 S.W. 124 <sup>th</sup> Street, #111 Miami, FL 33186  No Complaints on File	Business Address: 13335 S.W. 124 <sup>th</sup> Street, #111 Miami, FL 33186  Status: Paid and Current	No relevant cases
Botas Engineering Inc.	Florida Profit Corporation  Principal Address: 8935 NW 35 <sup>th</sup> Lane., #202 Doral, FL 33172  Date Filed: August 28, 2003	License type: Registry  Main Address: 8935 NW 35 <sup>th</sup> Lane., #202 Doral, FL 33172  No Complaints on File	Business Address: 8935 NW 35 <sup>th</sup> Lane., #202 Doral, FL 33172  Status: Paid and Current	No relevant cases
J. Bonfill & Associates, Inc.*	Florida Profit Corporation  Principal Address: 7100 SW 99 Ave. #104 Miami, FL 33173  Date Filed: September 11, 2015	License type: Architect Business  Main Address: 7100 SW 99 Ave. #104 Miami, FL 33173  No Complaints on File	Business Address: 7100 SW 99 Ave. #104 Miami, FL  Status: Paid and Current	No relevant cases
Curtis & Rogers Design Studio, Inc.	Florida Profit Corporation  Principal Address: 7520 S. Red Road, Suite M., South Miami, FL 33143  Date Filed: October 05, 1992	No record on file	Business Address: 7520 S. Red Road, Suite M., South Miami, FL 33143  Status: Paid and Current	No relevant cases

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**Researcher: IL Reviewer: TD**

Pursuant to Resolution No. R-421-16, a Performance Record verification was conducted by OCA in the Capital Improvements Information System (CIIS) on January 31, 2020. The verification revealed three performance evaluations in the Capital Improvements Information Systems Database for Silva Architects, LLC., yielding an average evaluation rating of 3.7 out of 4.0.

**DEPARTMENTAL INPUT:**

OCA asked the following question on January 7, 2020, the department response is in bold below:

- Please indicate whether the requested architecture and engineering services can be performed in-house and the number of architects and engineers the County has on staff that can perform such duties.

**Miami-Dade Fire Rescue currently has two architects on staff. One is the Facilities Maintenance and Construction Division Manager who will be retiring in July. We will attempt to fill the position with someone who is a registered architect or professional engineer, but it has not been a historical job requirement. MDFR used in house staff to design station 62, recently opened and completed in Palmetto Bay, and also designed Station 29 in Sweetwater, a rebuild of an existing station that will be complete later this year. Additional projects slated for in-house design this year include Station 18 in North Miami, Station 71 on Eureka Drive in south Miami-Dade and Station 72 in Florida City. With those three new station projects being done in house, MDFR will not have the capacity to concentrate on the fire station rebuilds and therefor is seeking the services of private sector Architectural and Engineering firms to complete the work. Each firm selected has previously completed fire station designs for MDFR. Alleguez Architecture previously designed Station 64 in Miami Lakes and MDFR's first solar powered fire station, station 68, that is about to be put out for construction bids. There are two more A/E PSAs with other firms to design 4 additional rebuilds that should be accompanying this one.**

**ADDITIONAL INFORMATION:**

Silva Architects, LLC., has performed multiple projects at within Miami-Dade County particularly for Miami-Dade County Public Schools

<https://www.silvaarc.com/work> (Work)

Miami-Dade Counties Firehouse #9 located in the heart of Kendall at 7777 South West 117 Avenue. The current facility was built in 1984, replacing the building serving since the mid 1900's. The original structure was an old hospital building famous for its wood and dirt floors. The Engine and Rescue rigs housed here run first due to a wide variety of occupancies. No other territory in the south contains the number of Large national chain bars, local mom and pop pubs, and 24 eateries as we do. All types of single story and low-rise structures imaginable call Kendall home.

[http://battalion13.webstarts.com/station\\_9.html](http://battalion13.webstarts.com/station_9.html)

Below is an image on Figure1 of Station 9 and its geographic location on Figure 2.

**Figure 1**



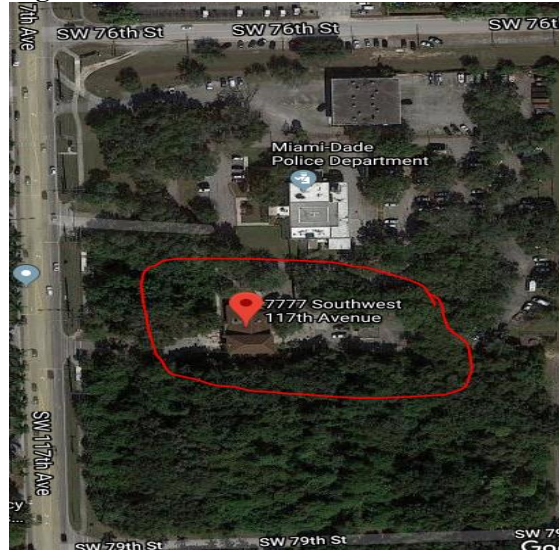


**BCC Meeting:  
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**Researcher: IL Reviewer: TD**

**Figure 2**



Below is an image of Station 19 on Figure 3 and its geographic location on Figure 4:

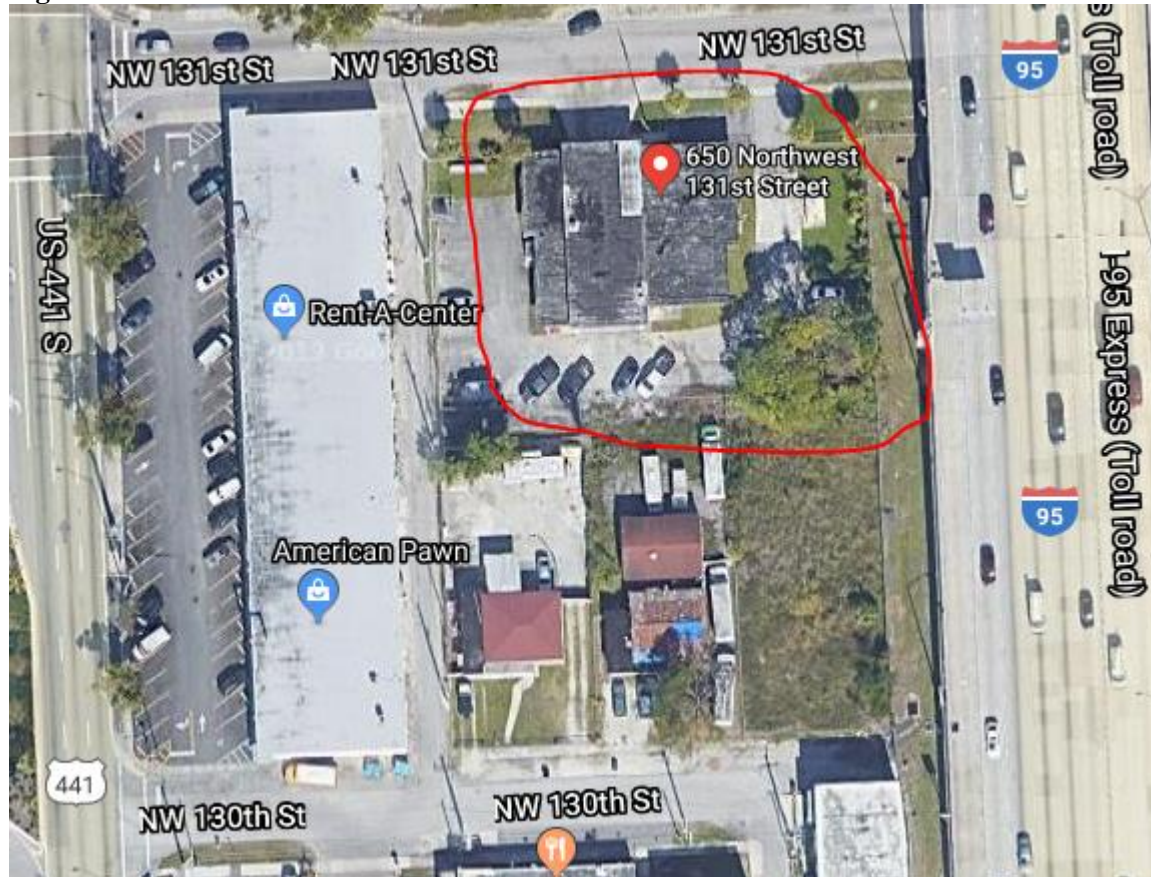
**Figure 3**



Item No. 8E3  
File No. 192988

Researcher: IL Reviewer: TD

Figure 4



#### APPLICABLE LEGISLATION/POLICY

**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)

**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=PTIIICOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

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**Researcher: IL Reviewer: TD**

**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=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-11.1COINCOETOR](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_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=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)

**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>

**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.) 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.

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

**Administrative Order 3-26**, effective August 4, 2000, projects with construction cost estimates below the Five Million Dollar threshold, are not mandated to have a formal Value Analysis/Engineering nor a feasibility study of alternative concepts.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-26.pdf>

**BCC Meeting: February 4, 2020  
Research Notes**

**Item No. 8F1  
File No. 193076**

**Researcher: VW    Reviewer: PGE**

RESOLUTION APPROVING AWARD OF A LEASE AGREEMENT WITH GATEWAY AIRPORT CONCESSIONS, INC., FOR THE OPERATION AND MAINTENANCE OF A RESTAURANT AT THE JOSEPH CALEB CENTER, WITH A POSITIVE FISCAL IMPACT TO THE COUNTY OF AT LEAST \$217,819.00 FOR THE TEN YEAR AND SIX MONTH TERM OF THE LEASE, AFTER REIMBURSEMENT OF UP TO \$50,000.00 TO THE TENANT FOR IMPROVEMENTS TO THE PREMISES; AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXECUTE AND TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME AND EXERCISE ALL OTHER RIGHTS CONTAINED IN THE LEASE INCLUDING ANY RIGHTS OF TERMINATION; AND DIRECTING THE COUNTY MAYOR OR DESIGNEE TO PROVIDE TO THE PROPERTY APPRAISER'S OFFICE, WITHIN 30 DAYS OF ITS EXECUTION, A COPY OF THE LEASE AGREEMENT

**ISSUE/REQUESTED ACTION**

Whether the Board should approve a lease agreement between Miami-Dade County and Gateway Airport Concessions, Inc. for the use of County-owned property at the Joseph Caleb Center for operation of a restaurant for a 10-year and six-month term with a positive fiscal impact to the County of at least \$217,819.

**PROCEDURAL HISTORY**

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

**Department/Requester: Internal Services**

This item was brought before the Health Care and County Operations Committee on January 16, 2020 and forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

The purpose of this item is to seek Board authorization for the award of a lease agreement to Gateway Airport Concessions, Inc. for the operation and maintenance of a food service facility at the Joseph Caleb Center. The Caleb Center, which is located at 5400 NW 22 Avenue in District 3, is a neighborhood center featuring a 962-seat theater and an office complex. The restaurant space being leased is on the first floor of the Caleb Center and is approximately 2,600 square feet.

The lease agreement is for a 10-year and six-month term and will generate revenue to the County totaling \$217,819. The total rental revenue equals \$217,819 after reimbursement of up to \$50,000 to Gateway for improvements to the premises. Gateway is required to pay a security deposit, in the amount of \$6,000, equivalent to three months' rent within 10 days following the lease agreement effective date. Such improvements may consist of countertops, kitchen equipment, plumbing, electrical connections, light fixtures and cabinetry. The \$50,000 reimbursement shall be apportioned as follows: \$10,000 upon issuance of the Certificate of Occupancy and \$40,000 to be amortized over the initial five years of the lease in the form of a monthly rent credit not to exceed \$666.66 per month. The rental revenue to the County for the first two years of the lease term is \$24,000 annually, which is to be paid in equal monthly payments of \$2,000. Commencing on the first day of the third lease year, and every year thereafter, the rental revenue will be increased by three percent. The table below displays the rent obligations under the lease agreement, including the three percent escalation and the rent credit, based on information taken from Article 14 of the lease agreement.



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**Researcher: VW    Reviewer: PGE**

<b>Fiscal Year</b>	<b>Rent Obligation</b>	<b>Rent Credit</b>
2020	\$24,000	\$10,000 + \$8,000
2021	\$24,000	\$8,000
2022	\$24,720	\$8,000
2023	\$25,462	\$8,000
2024	\$26,226	\$8,000
2025	\$27,013	
2026	\$27,823	
2027	\$28,658	
2028	\$29,518	
2029	\$30,404	
2030 (6 months)	\$15,658	
<b>Total</b>	<b>\$283,482</b>	<b>\$50,000</b>

This lease award is the result of a competitive procurement process. The County issued RFQ-01113 for the Lease/Operation of a Restaurant at the Joseph Caleb Center on November 14, 2018. The purpose of the solicitation was for the County to contract with an experienced firm for the lease, development, operation and maintenance of 2,600 square feet of retail space at the Joseph Caleb Center for the operation of a fast food restaurant. Proposals were due on January 25, 2019. Three entities responded to the solicitation – Elia Mediterranean Products, LLC; Frazier Enterprises of Miami Gardens, Inc.; and Gateway Airport Concessions. The restaurant space at the Caleb Center has been closed for approximately five years due to construction of a new parking garage, parking lot improvements and renovations to the building. Under the RFQ, the lessee is responsible for any improvements to the restaurant required to make the space suitable for its operations. Key operational requirements of the lessee under the RFQ are to:

- Operate a fast food/casual cafeteria or deli-style restaurant with the purpose of serving the Caleb Center employees and the public, with top quality food at fair, affordable prices (\$10 and under);
- Provide multiple payment options to its clientele, including cash, credit card and debit card;
- Employ a qualified full-time on-site manager having experience in the management of a restaurant or similar type of food service operation;
- Provide secure Wi-Fi services as required to conduct business operations; and
- Obtain a grease, oils and fat discharge permit and maintain the grease trap and exhaust system as required by County Ordinance.

The lease agreement provides that upon receipt of the security deposit and lessee's insurance certificate for insurance requirements, the landlord will issue a Notice to Proceed, which will allow the lessee to enter and begin occupying and proceeding to build-out the leased premises. Lessee shall operate the restaurant, at a minimum, five days a week Monday through Friday from 7am to 5pm except on County, state and federal designated holidays.

Note that Article 3 of the lease agreement authorizes Gateway to operate a temporary food service facility within the Caleb Center prior to the date of beneficial occupancy; no rent will be required for this temporary food service. After the date of beneficial occupancy, the temporary facility shall be discontinued. Other responsibilities under the lease agreement have been summarized below.

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**Researcher: VW**

**Reviewer: PGE**

Responsibilities of the County:

- Electrical service and connections
- Water service and connections
- Repairs of defects related to the plumbing infrastructure
- Working grease trap ready for operations
- Building related fire sprinkler system
- Garbage collection service

Responsibilities of Gateway:

- Janitorial service maintaining the leased premises and equipment clean at all times
- Extermination service for leased premises
- HVAC maintenance and repair
- Electrical services, as applicable, for maintenance of the leased premises
- Plumbing services, as applicable, for maintenance of the leased premises
- Fire suppression devices required for operation of the leased premises
- Fats, grease, and oil discharge permit required for grease trap operations
- Exhaust system equipment and maintenance required for operation of the leased premises

OCA conducted a due diligence review of the recommended business entity, Gateway Airport Concessions, Inc. The vendor is a Florida for-profit corporation that incorporated in August 2006. The company's principal office is located at Miami International Airport, Concourse D, 2nd Level, Miami, Florida. Gateway's president is Marie Louissaint. Gateway is a County business vendor holding the Airport Concessionaire Disadvantaged Business Enterprise (ACDBE) and Disadvantaged Business Enterprise (DBE) certifications. The table below depicts OCA's due diligence.

Awarded Firm	Corporate Registration	Tax Collectors Office	Florida DBPR	Westlaw
Gateway Airport Concessions, Inc.	Florida Profit Corporation  Active  Principal Address: Miami International Airport Concourse D-2nd level Miami, FL 33299  Filed: August 28, 2006	Business Address: Miami International Airport Concourse C Miami, FL 33122  Status: \$93.75 Due (2020)	Nothing Found	Nothing Found



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**Researcher: VW    Reviewer: PGE**

The proposed rent will average out about \$9.23 dollars per square foot for a 2,600 square foot restaurant space. Based on the mayor's memorandum, comparable rental values in the area range from \$13.00 to \$18.00. This lease agreement is approximately \$3.77 per square foot cheaper than the lowest rental value in the area.

**Survey of Comparable Rental Values in the Surrounding Area of 1351 NW 12<sup>th</sup> Street  
Pursuant to Resolution No. R-333-15**

Address	Cost Per Square Foot (Annually)
2173 NW 62 Street	\$13.00
1092 NW 54 Street	\$18.00
3500 NW 17 Avenue	\$13.00
5400 NW 22 Avenue (Caleb Center)	\$9.23

**APPLICABLE LEGISLATION/POLICY**

**FL Statutes 125.35** authorizes the County to sell real and personal property and to lease real property.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0100-0199/0125/Sections/0125.35.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0125/Sections/0125.35.html)

**Miami-Dade County Section 2-8.6.5** governs the purchase, sale and lease of real property.

[https://library.municode.com/fl/miami-dade-county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.6.5PUSALEREPR](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.6.5PUSALEREPR)

**Chapter 64E-11.001 FL Administrative Code** prescribes minimum sanitary practices and other regulatory standards relating to food service establishments and theaters serving food or drink to the public, as defined by this rule.

<http://www.floridahealth.gov/environmental-health/food-safety-and-sanitation/documents/64e-11.pdf>

**Ordinance No. 18-22**, adopted on February 21, 2018, relating to environmental protection provides certain definitions and modifies other definitions; provides exceptions to the duties and powers of the environmental quality control board ("EQCB"); provides that the EQCB shall not take action that conflicts with or nullifies federal, state or county law or certain binding agreements; clarifies coverage of existing facilities and sewerage systems to include additional certain waste disposal facilities; provides that fats, oils and grease ("FOG") control devices shall be installed.

<http://intra/gia/matter.asp?matter=180026&file=true&yearFolder=Y2018>

**Resolution No. R-791-14**, adopted on September 3, 2014, directs the Mayor or Mayor's designee to provide the Miami-Dade County Property Appraiser a copy of all leases and operating agreements involving County-owned property.

<http://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2014/R-791-14.pdf>

**Resolution No. R-333-15**, adopted on April 21, 2015, establishing county policy to require disclosure of market value or market rental in legislative items authorizing the conveyance or lease of county-owned property to promote public disclosure and fiscal responsibility.

<http://intra/gia/matter.asp?matter=150446&file=true&yearFolder=Y2015>

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**Item No. 8F1**

**File No. 193076**

**Researcher: VW    Reviewer: PGE**

**Resolution No. R-380-17**, adopted on April 4, 2017, establishing Board policy regarding County-owned real property; requiring County Mayor or County Mayor's designee to provide written notification to district Commissioner in which County-owned property lies no less than four weeks prior to 1) any issuance of a request for proposal or expression of interest regarding the sale, lease, or development of such County-owned property or 2) placing any item on the agenda of this Board or any committee of this Board requesting the approval of the sale, lease, or surplus of County-owned property.

<http://intra/gia/matter.asp?matter=170414&file=true&yearFolder=Y2017>

**BCC Meeting:  
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Research Notes**

**Item No. 8F2  
File No. 193060**

**Researcher: MF   Reviewer: PGE**

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01363 FOR GROUPS NO. 1 AND 2 AND FOR THE PURCHASE OF BAKERY PRODUCTS FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM IN AN AMOUNT NOT TO EXCEED \$1,853,966; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the award of Group Nos. 1 and 2 under *Contract No. FB-01363* for the purchase of bakery products for the Community Action and Human Services and Corrections and Rehabilitation departments for a maximum amount of \$1,853,966 for a five-year term.

**PROCEDURAL HISTORY**

**Prime Sponsor:** N/A

**Department/Requester:** Internal Services Department

This item was heard at the Health Care and County Operations Committee (HCCO) meeting of January 16, 2020 and forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

The purpose of this item is to establish a long-term replacement contract for the Community Action and Human Services and Corrections and Rehabilitation departments to purchase bakery products, such as loaves of bread, buns, rolls and hoagies, on an as-needed basis to satisfy their operational requirements. The contract is valued at up to \$1,853,966 for a five-year term and includes two groups, i.e., Group No. 1 (Non-Federally Funded for Loaves of Bread, Buns and Rolls and Hoagie Bread) and Group No. 2 (Federally Funded for Loaves of Bread and Buns). Note that though Group 3 (Federally Funded for French Bread) was also solicited, no bids were received for that group. Hence, Group 3 is not included in this contract award.

The method of award for this contract was to the lowest-priced, responsive and responsible bidder on a group-by-group basis in the aggregate who met the solicitation's qualifications. The qualifications are as follows:

- Bidder shall submit a copy of a valid state or local permit/certificate/license confirming authorization to provide the solicited services;
- Bidder shall submit a copy of its most recent food safety and employee health reports;
- Bidder shall provide proof that it receives pest control services at its business facility; and
- Bidder shall provide at least three client references for comparable services.

It is important to mention that for Group 1 there is an additional qualification – bidder shall have a facility located within the tri-County area.

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**Item No. 8F2  
File No. 193060**

**Researcher: MF   Reviewer: PGE**

The solicitation was advertised on August 23, 2019, and the bid open date was September 24, 2019. Two bids were received in response to the solicitation for Groups 1 and 2. The respondents are Flowers Baking Co. of Miami LLC (the recommended awardee) and Bimbo Bakeries USA, Inc. (an incumbent under the current contract that was deemed non-responsive for this award). Bimbo Bakeries USA, Inc., located in Medley, Florida, was deemed non-responsive by the County Attorney's Office for taking material exception to the delivery requirements of the solicitation.

The deliveries under this solicitation are to be made to the following locations as depicted in the table below:

Location	Department
Metro West Detention Center	MDCR
Turner Guilford Knight Correctional Center	MDCR
Pre-Trial Detention Center	MDCR
Helen Sawyer/Adult Living Facility	CAHS
Safe Space Shelter	CAHS

The fiscal impact is \$1,853,966 for the five-year replacement term. The bulk of the allocation (\$1,833,003) is slated for the Corrections and Rehabilitation Department. The current contract, *No. 8929-1/19*, is valued at \$10,501,236 for a 10-year and six-month term. The annual allocation under the replacement contract is \$370,793.20 while the annual allocation under the current contract is \$1,000,117.68. This represents a nearly 63% percent decrease. The mayoral memorandum suggests that the allocation under the replacement contract is lower than the current contract due to lower quantities of bakery products ordered on an annual basis since the current contract's inception.

The current contract is set to expire on February 29, 2020. The expiration date reflects a six-month administrative extension from the original expiration date of August 31, 2019 to the current February 29, 2020 date. Resolution No. R-718-17 requires that planning reprourement commence no later than 18 months prior to the expiration of contracts and prequalification pools for purchases of goods or services. To have prevented a need for an administrative extension, pursuant to the resolution, reprourement activities for this contract should have begun February 2018.

OCA conducted a review of the Bid Tracking System (BTS) on January 29, 2020 and found the current contract, which is in its option term, had an allocation of \$5,110,618, of which \$2,331,647.03 has been released, leaving a balance of \$2,778,970.97. As previously indicated, there is less than a month left in the option term.

The mayoral memo provided the commodity codes for this item. OCA performed a search for commodity code 37515 (Bread, Rolls, etc.) on the Business Management Workforce System's Certified Vendor Directory on January 27, 2020. Listed below are the local SBEs identified:

- Casmol, LLC dba Mi Gallito Bakery, Miami, FL: SBE-G&S
- Randazzo Catering, Inc. dba Creative Tastes Catering, Miami, FL: SBE-G&S

OCA conducted due diligence on January 27, 2020 pertaining to the selected vendor, Flowers Baking Co. of Miami, LLC. Below are the findings.

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**Researcher: MF   Reviewer: PGE**

<b>Awarded Firm(s)</b>	<b>Corporate Registration</b>	<b>Tax Collectors Office</b>	<b>Florida DBPR</b>	<b>Westlaw</b>
Flowers Baking Co. of Miami, LLC	Florida Limited Liability Company  Active  Principal Address: 1919 Flowers Circle Thomasville, GA  Filed: December 27, 2000	Business Address: 17800 NW Miami Ct. Miami, FL  Status: Paid and Current	No account on file	No relevant cases

**ADDITIONAL INFORMATION**

OCA performed an Internet search regarding Flowers Baking Co. of Miami, LLC on January 27, 2020. According to the company's website, the bakery first opened in 1919 and is one of the largest producers of packaged bakery foods in the United States. The bakery offers a mix of brand name products, including: Nature's Own, TastyKake, Mrs. Fershley's, Wonder, Merita and Sunbeam.

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

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1 of the County Code**, (Contracts and Purchases Generally), Requires formal sealed bids for purchases over \$250,000; describes the circumstances under which non-competitive purchases may be approved; establishes requirements for legacy purchases, designated purchases, and single vehicle leases; 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)

**Implementing Order 2-13**, (Guidelines and Procedures Regarding Legal Opinions with Respect to County Competitive Processes), Authorizes the County Mayor or designee to issue a written request for a Responsiveness Opinion when an issue of responsiveness is identified in response to a solicitation that will affect the ultimate award of the solicitation. Requires responsiveness opinions to be presented to the Board with agenda item.

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

**Implementing Order 3-38**, (Purchasing of Goods and Services, Governs the County's processes and procedures for the purchase of goods and services including professional services. It establishes the roles and responsibilities of the Internal Services Department, methods of purchasing goods and services, and the authority to award contracts. Contains 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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**Researcher: MF   Reviewer: PGE**

**Resolution No. R-828-19**, adopted July 23, 2019, established a policy of Miami-Dade County for disclosure of past and present discrimination lawsuits in solicitation submissions.

<http://www.miamidade.gov/govaction/matter.asp?matter=190936&file=true&fileAnalysis=false&yearFolder=Y2019>

**Resolution No. R-718-17**, adopted July 6, 2017, directs the mayor or his designee to commence planning for re-procurement no later than 18 months prior to the expiration of contracts and prequalification pools for purchases of goods or services and directing the county mayor or his designee on a quarterly basis to identify in writing to the commission auditor those contracts that prequalification pools that are set to expire no later than 18 months prior to expiration.

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

**Resolution No. 1011-15**, adopted November 3, 2015, directs the mayor or his designee to require that vendors provide addresses of all local branch offices and headquarters and the number of percentage of local residents such as vendors employ.

<http://intra/gia/matter.asp?matter=152271&file=true&yearFolder=Y2015>

**Resolution No. 140-15**, adopted February 3, 2015, directs the mayor or designee to conduct a full review, prior to the re-procurement of replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current need of the County, to include information recommendations to the Board.

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

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

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

**Resolution No. 920-09**, adopted July 2, 2009, authorizes award of competitive contracts, contract modifications, and competitively solicited contracts of other governmental entities and authorizes the County mayor or designee to exercise all 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>



**BCC Meeting: February 4, 2020**  
**Research Notes**

**Item No. 8F3**  
**File No. 193061**

**Researcher: JFP Reviewer: TD**

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01219 FOR THE PURCHASE OF MEDICAL, INDUSTRIAL GASES AND RELATED ITEMS FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM IN AN AMOUNT NOT TO EXCEED \$1,316,950.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the award of *Contract No. FB-01219, Medical, Industrial Gases and Related Items*, for use by multiple County departments, in the amount of up to \$1,316,950 for a term of five years.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department**

This item was forwarded to the BCC with a favorable recommendation by the Health Care and County Operations Committee at its January 16, 2020 meeting.

**ANALYSIS**

The purpose of this item is to establish a replacement contract for the purchase of various gases for multiple County departments. The total allocation for the five-year term is \$1,316,950, with the largest allocations being for Fire Rescue (\$485,000), which utilizes the contract to supply critical medical and industrial gases, e.g., oxygen administered in emergency situations, and Water and Sewer (\$255,950), which utilizes the contract to purchase water treatment and calibration gases, among others. The following departments will utilize the pool to purchase gases to support the operation of analytical instruments: Transportation and Public Works (\$160,000), Parks, Recreation and Open Spaces (\$105,000), Police (\$60,000), Internal Services (\$57,000), Aviation (\$50,000), Medical Examiner (\$50,000), Regulatory and Economic Resources (\$40,000), Solid Waste Management (\$35,000), Animal Services (\$15,000), and Corrections and Rehabilitation (\$4,000). The solicitation included the following groups:

- Group 1: Oxygen, Cylinders & Related Items (Medical Related)
- Group 2: Medical Grade Liquid Oxygen (Medical Related)
- Group 3: Nitrogen, Hydrogen and Argon (Industrial Type)
- Group 4: Helium (Industrial Type)
- Group 5: Air Monitoring and Laboratory Sections for Regulatory and Economic Resources (RER)
- Group 6: Laboratory Section for RER
- Group 7: Helium – Laboratory Section for RER
- Group 8: Monitoring Calibration Gas for Water and Sewer Department (Industrial Type)
- Group 9: Nitrogen, Argon Methane, Air and Argon
- Group 10: Welding Gases (Industrial Type)
- Group 11: Industrial Grade Liquid Oxygen (LOX) by Tank Truck for Water and Sewer Department
- Group 12: Hydro Testing
- Group 13: Oxygen, Aviator's Breathing Cylinder
- Group 14: Medical Grade Liquid Oxygen

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**Researcher: JFP Reviewer: TD**

The current contract, *FB-00052, Medical, Industrial Gases and Related Items*, established by Resolution No. R-805-14 on September 16, 2014 for a five-year term in the cumulative amount of \$2,093,000, is currently in the last year of its option term. Accounting for modifications, the cumulative value of the pool, including the option term, is currently \$2,302,299, of which \$1,696,091 has been released, leaving a balance of \$606,207 (as of January 27, 2020). The replacement contract's allocation of \$1,316,950 is lower than that of the current contract due to Group 11 not being awarded in the contract.

The current contract expires on April 30, 2020, after approval of a six-month extension. The original expiration date was October 31, 2019. Pursuant to Resolution No. R-718-17, the County is required to commence planning for re-procurement of contracts and prequalified vendor lists that are set to expire no later than 18 months prior to expiration. Given the current pool's original expiration date, the County is required to have commenced planning for re-procurement no later than April 30, 2018.

The solicitation was issued and advertised, with notification to 1,589 vendors and seven vendors responding. Of the seven respondents, two indicated that they will not be providing an offer and were therefore deemed "no bids". Four of the respondents are being recommended for award, all of which have local addresses, and three of which are incumbents (the current contract has four awardees). Given that no proposals were received for Group 11, the County will resolicit or access other agencies' contracts for this procurement.

OCA's due diligence on the awarded firms is detailed below.

Awarded Firm	Awarded Group	Corporate Registration	Tax Collector's Office	Florida DBPR	Litigation (Westlaw)
Airgas, Inc. dba Airgas USA LLC	2	Foreign Limited Liability Company  Active  Principal Address: 259 North Radnor-Chester Road Suite 100 Radnor, PA 19087-5283  Filed: November 3, 2011	Business Address: 7280 NW 58th St., Miami, FL 33166  Status: Paid and Current	License Types: Medical Gas Wholesale Distributor, Medical Oxygen Retailer Establishment, Medical Gas Manufacturer, Product Registration Permit	<i>Folmar et al v. L'Air Liquide, SA et al</i> (Case No. 3:18-CV-02125). Filed on September 27, 2018 in the U.S. District Court, Northern District of Florida (Pensacola). Allegation: Defendants failed to ensure the safety of Plaintiff's decedent, despite having knowledge of the dangers associated with the production of nitrous oxide, causing an explosion that resulted in his death. Case Status: Remanded to the Circuit Court in and

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					<p>for Escambia County, Florida.</p> <p>Laurence Vinocur v. Airgas, Inc. et al (Case No. CGC-17-562298). Filed on November 3, 2017 in Superior Court, San Francisco County.</p> <p>Allegation: Defendant failed to warn its consumers that its art tool pouches contain DEHP, DINP and lead, toxic chemicals known to cause birth defects. Case Status: Closed (settlement).</p>
Liquid O2 Transfills, Inc.	1, 12, and 14	<p>Florida Profit Corporation</p> <p>Active</p> <p>Principal Address: 1335 NW 98 Ct., Suite 8 Miami, FL 33172</p> <p>Filed: October 3, 2000</p>	<p>Business Address: 1335 NW 98th Ct., Suite 8 Doral, FL 33172 Miami, FL 33166</p> <p>Status: \$897.65 (2019) taxes due</p>	<p>License Types: Medical Oxygen Retailer Establishment, Medical Gas Wholesale Distributor, Medical Gas Manufacturer, Product Registration Permit</p>	No relevant cases.
Matheson Tri-Gas, Inc.	3, 4, 5, 10 and 13	<p>Foreign Profit Corporation</p> <p>Active</p> <p>Principal Address: 909 Lake Carolyn Parkway Suite 1300 Irving, TX 75039</p> <p>Filed: April 29, 1987</p>	<p>Business Address: 7300 NW 58th St., Miami, FL 33166</p> <p>Status: Paid and Current</p>	<p>License Types: Medical Gas Wholesale Distributor, Non-resident Prescription Drug Manufacturer, Medical Gas Manufacturer, Product Registration Permit</p>	<p><i>Robinson v. Matheson Tri-Gas, Inc.</i> (Case No. 1:19-CV-21825). Filed on May 6, 2019 in U.S. District Court, Southern District of Florida (Miami).</p> <p>Allegation: Defendant discriminated against Plaintiff employee on the basis of his race by subjecting him to race-based animosity.</p>

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Case Status: Closed (dismissed with prejudice).

*Flowers v. Matheson Tri-Gas, Inc.* (Case No. 1:19-CV-00148). Filed on February 22, 2019 in U.S. District Court, District of New Mexico (Albuquerque). Allegation: Defendant discriminated against Plaintiff on account of her sex, and wrongfully terminated her in retaliation for her efforts to comply with the Pay Equity Initiative law. Case Status: Awaiting Court action.

*Roger Phelps v. Matheson Tri-Gas, Inc. et al* (Case No. 8:18-CV-00838). Filed in U.S. District Court, Central District of California (Santa Ana) on May 11, 2018. Allegation: Defendant in violation of FMLA discriminated against Plaintiff on the basis of disability by denying Plaintiff reasonable accommodation and failed to prevent harassment and terminated Plaintiff from employment. Case Status: Closed

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					(dismissed with prejudice).
NexAir, LLC	6, 7, 8, and 9	Foreign Limited Liability Company  Active  Principal Address: 1350 Concourse Avenue Suite 103 Memphis, TN 38104  Filed: July 6, 1999	Business Address:  8555 NW 64th St., Miami, FL 33166  Status: Paid and Current	License Types: Medical Gas Manufacturer, Non-resident Prescription Drug Manufacturer, Medical Gas Wholesale Distributor	No relevant cases.

A January 27, 2020 search on the Business Management Workforce System for the contract's Commodity Code—43092 (Welding and Industrial Gases: Acetylene, Argon, Carbon Dioxide, Oxygen, etc.)—yielded no local certified Small Business Enterprise firms.

**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](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Resolution No. R-805-14**, adopted September 16, 2014, approved *Contract No. FB-00052, Medical, Industrial Gases and Related Items*, in the amount of \$2,093,000, for the purchase of various types of gases for various County departments.

<http://intra/gia/matter.asp?matter=141772&file=true&yearFolder=Y2014>

**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>

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**Item No. 8F3**  
**File No. 193061**

**Researcher: JFP Reviewer: TD**

**Resolution No. R-140-15**, adopted February 3, 2015, directed 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, directed 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-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 nonlocal 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 3-38** sets forth the County's policies and procedures for the procurement of goods and services. The I.O. references the obligations and responsibilities of the Internal Services Department; the authority to award; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.  
<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>



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**Item No. 8F4**

**File No. 200142 (192820)**

**Researcher: IL Reviewer: TD**

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$15,019,000.00 FOR PREQUALIFICATION POOL NO. RTQ-00299 FOR PURCHASE OF HVAC AND CONTROLS FOR THE INTERNAL SERVICES DEPARTMENT

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize an additional expenditure authority in an amount up to \$15,019,000 for Contract No. RTQ-00299 for the purchase of Heating, Ventilation, and Air Conditioning (HVAC) and Controls for the Internal Services Department.

**PROCEDURAL HISTORY**


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

This item was brought before the Health Care and County Operations Committee on January 16, 2020, it was forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

The purpose of this item is to approve an additional expenditure authority in an amount up to \$15,019,000 for the purchase of HVAC and Controls for repairing, replacing, supplying, installing, and renting HVAC equipment and related components Countywide.

The fiscal impact to the County is \$15,019,000. Below is a chronology of Contract No. RTQ-0029:

Approval Path	Date	Type	Dollar Amount
Resolution No. R-373-16	May 17, 2016	Establishes the Pool	\$10,328,000
Administrative Modification	June 1, 2016	Additional Expenditure	\$ 250,000
Administrative Modification	July 17, 2017	Additional Expenditure	\$ 490,000
Resolution No. R-1147-18	November 8, 2018	Additional Expenditure	\$ 2,532,000
<b>Total</b>			\$13,600,000
<b>File No. 192820</b>	January 22, 2020	Proposed Additional Expenditure	\$15,019,000
<b>Total</b>			\$28,370,000  (109%)

OCA conducted a review of this contract on the Bid Tracking System's (BTS) Blanket Purchase Order tab on January 10, 2020. (See Below)

Department	Allocation Amount	Released Amount	Balance	Requested Amount	Justification
Animal Services	\$ 180,000	\$ 73,616	\$ 106,383	\$ 0	N/A
Aviation	\$ 2,940,000	\$ 727,961	\$ 2,212,038	\$ 0	N/A
Community Action and Human Services	\$ 1,376,000	\$ 0	\$ 1,376,000	\$ 0	N/A
Corrections	\$ 1,270,000	\$ 1,164,150	\$ 105,779	\$ 1,325,000	Replacement of 38 Air Handling Units at the Metro-West Detention Center due to corrosion.
Cultural Affairs	\$ 506,000	\$ 87,180	\$ 418,819	\$ 0	N/A
MDFR	\$ 240,000	\$ 121,118	\$ 118,881	\$ 850,000	Inspection, repairs and maintenance of 80 air cleaning devices at 39 fire stations.
PHCD	\$ 1,824,765	\$ 850,138	\$ 974,626	\$ 0	N/A

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Department	Allocation Amount	Released Amount	Balance	Requested Amount	Justification
ISD	\$ 1,500,000	\$ 1,271,554	\$ 228,445	\$11,405,000	Countywide Infrastructure Investment Program
Library	\$ 920,000	\$ 302,671	\$ 617,328	\$ 0	N/A
MDPD	\$ 600,000	\$ 94,773	\$ 505,227	\$ 0	N/A
PROS	\$ 768,000	\$ 221,243	\$ 546,756	\$ 0	N/A
Seaport	\$ 640,000	\$ 453,511	\$ 186,488	\$ 700,000	Port Expansion of two new terminals.
Solid Waste	\$ 20,000	\$ 0	\$ 20,000	\$ 0	N/A
Vizcaya	\$ 35,235	\$ 35,235	\$ 0	\$ 0	N/A
WASD	\$ 530,000	\$ 466,906	\$ 63,093	\$ 739,000	Existing equipment needs to be replaced due to corrosive environment.
Total	\$13,350,000	\$5,648,813	\$7,479,863	\$15,019,000	

OCA analyzed all HVAC related contracts in BTS from 09/01/2000 – 04/25/2019 and determined that \$35,423,836 has been spent on HVAC related services (See table below)

<u>BID #</u>	<u>Title</u>	<u>Effective Date</u>	<u>Expiration Date</u>	<u>Current Value</u>
<u>008-FF06</u>	HVAC, Repair, Replacement, Supply and/or Installation	03/17/2008	05/09/2008	\$150,000
<u>052-JJ06</u>	HVAC & Controls: Repairs/ Replace /Supply/Install	11/01/2009	11/09/2011	\$1,000,000
<u>052-JJ06(A)</u>	HVAC & Controls: Repair/Replacement	01/30/2012	10/31/2012	\$974,000
<u>052-JJ06(B)</u>	HVAC & Controls: Repair/Replacement	11/01/2012	08/09/2013	\$1,462,000
<u>052-JJ06(C)</u>	HVAC & Controls: Repair/Replacement	08/10/2013	08/09/2014	\$1,711,000
<u>056-PP09</u>	HVAC & Controls: Repairs/Replace/Supply/Install	09/17/2014	02/09/2016	\$999,900
<u>1258-2/05</u>	HVAC Testing, Balancing & Adjusting	09/01/2000	08/31/2003	\$473,000
<u>1258-2/05-1</u>	HVAC Testing, Balancing & Adjusting	09/01/2003	08/31/2004	\$154,333
<u>1258-2/05-2</u>	HVAC Testing, Balancing & Adjusting	09/01/2004	08/31/2005	\$154,333
<u>1258-4/11</u>	HVAC Testing, Adjusting & Balancing/Prequalification	05/01/2006	04/30/2007	\$183,899
<u>1258-4/11-1</u>	HVAC Testing, Adjusting & Balancing/Prequalification	05/01/2007	04/30/2008	\$183,899
<u>1258-4/11-2</u>	HVAC Testing, Adjusting & Balancing/Prequalification	05/01/2008	04/30/2009	\$183,899
<u>1258-4/11-3</u>	HVAC Testing, Adjusting & Balancing/Prequalification	05/01/2009	04/30/2010	\$227,800
<u>1258-4/11-4</u>	HVAC Testing, Adjusting & Balancing/Prequalification	05/01/2010	07/31/2011	\$204,800
<u>27-017R</u>	HVAC -R Parts & Supplies	03/19/2007	09/30/2009	\$739,000

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<u>BID #</u>	<u>Title</u>	<u>Effective Date</u>	<u>Expiration Date</u>	<u>Current Value</u>
<u>E7946-0/06</u>	Water Treatment Services for HVAC Systems	09/22/2005	03/21/2006	\$10,000
<u>E7983-0/06</u>	HVAC Chemical Water Treatment	12/05/2005	11/30/2006	\$920,000
<u>E8933-0/12</u>	HVAC Contract Services	04/18/2012	10/17/2012	\$510,750
<u>E9115-LB</u>	HVAC Compressor for Miami Beach Library	07/10/2009	Not provided	\$28,938
<u>FB-00340</u>	Chillers and HVAC Equipment Maintenance For WASD	01/01/1900	Not Provided	\$0.00
<u>FB-00403</u>	Chillers and HVAC Equipment Maintenance For WASD	05/01/2017	04/30/2023	\$1,537,000
<u>R150505</u>	HVAC Equipment, Installation, Service, & Related Products	04/25/2019	09/30/2019	\$60,000
<u>RFP558</u>	Mover HVAC Replace & Rail HVAC Overhaul	12/01/2008	11/30/2010	\$8,901,951
<u>RTQ-00299</u>	HVAC and Controls - RTQ	06/01/2016	05/31/2024	\$13,350,000
<u>RTQ-00299(B)</u>	HVAC and Controls - RTQ (Bridge)	03/01/2016	06/30/2016	\$250,000
<u>SS8451-4/12</u>	Repair and Maintenance of Mcquay HVAC Equipment	03/03/2008	03/02/2009	\$100,000
<u>SS8451-4/12-1</u>	Repair and Maintenance of Mcquay HVAC Equipment	03/03/2009	03/02/2010	\$100,000
<u>SS8451-4/12-2</u>	Repair and Maintenance of Mcquay HVAC Equipment	03/03/2010	06/02/2011	\$125,000
<u>SS9240-3/15</u>	Tour Andover HVAC - Maintenance & Services	04/01/2010	05/31/2011	\$100,000
<u>SS9240-3/15-1</u>	Tour Andover HVAC - Maintenance & Services	06/01/2011	05/31/2012	\$145,000
<u>SS9240-3/15-2</u>	Tour Andover HVAC - Maintenance & Services	06/01/2012	05/31/2013	\$145,000
<u>SS9240-3/15-3</u>	Tour Andover HVAC - Maintenance & Services	06/01/2013	09/30/2014	\$193,333
<u>SS9240-3/15-4</u>	Tour Andover HVAC - Maintenance & Services	10/01/2014	09/30/2015	\$145,000
<b>Total</b>				<b>\$35,423,836</b>
With the approval of this modification, the total historical value increases to				<b>\$50,442,836.</b>

The item is silent as to how many HVAC systems have been replaced, repaired, supplied, installed and rented since it was awarded on May 17, 2016.

Currently, there are 36 prequalified vendors, of which 29 (80%) have a local address, and 13 are certified Small Business Enterprise in compliance with Resolution No. R-477-18 requiring more than 75% of vendors in a pool as local businesses.

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No.	Vendor Name	Sunbiz	DBPR	Tax Collector	West Law
6	Alexander Air & Heating, Inc.	Florida Profit Corporation Principal Address: 19532 SW 129 <sup>th</sup> Court, Miami, FL 33177  Date Filed: 10/28/2007	Main Address: P.O. Box 924568, Homestead, FL 33092	Business Address: 19532 SW 129 <sup>th</sup> CT, Miami, FL 33177  Paid/Current	No relevant cases on file
7	Clark Contracting Solutions LLC.	Florida Limited Liability Company Principal Address 13701 SW 143 <sup>rd</sup> Court #101, Miami, FL 33186  Date Filed: 02/01/2008	Main Address: 13015 SW 89 <sup>th</sup> PL #207, Miami, FL 33176	Business Address: 13701 SW 143 <sup>rd</sup> CT 101, Miami, FL 33186  Paid/Current	No relevant cases on file
8	CB Sales International Inc.	Florida Profit Corporation Principal Address: 13120 SW 130 <sup>th</sup> Terr., Miami, FL 33186  Date Filed: 03/13/2018	Main Address: 13120 SW 130 <sup>th</sup> Terrace, Miami, FL 33186	Business Address: 13134 SW 130 <sup>th</sup> Ter. Miami, FL 33186  Paid/Current	No relevant cases on file
9	Global Green Rejuvenation, LLC.	Florida Limited Liability Company Principal Address: 3600 Hacienda Blvd, Suite F, Davie, FL 33314  Date Filed: 10/03/2012	Main Address: 3600 Hacienda Blvd, Suite F, Davie, FL 33314	Nothing Found	No relevant cases on file
10	Air.Zone, Inc.	Florida Profit Corporation Principal Address: 27681 SW 139 <sup>th</sup> Place, Homestead, FL 33032  Date Filed: 11/13/2018	Main Address: 27681 SW 139 <sup>th</sup> Place, Homestead, FL 33032  Citation issued 07/15/2009 status: Closed as of 08/21/2009	Business Address: 27681 SW 139 <sup>th</sup> Place, Miami, FL 33032  Paid/Current	No relevant cases on file
11	Johnson Controls Inc.	Foreign Profit Corporation Principal Address: 5757 N. Green Bay Ave, Milwaukee WI 53209  Date Filed: 10/06/2011	Main Address: 4820 Executive Park Court, Suite 109, Jacksonville, FL 32216	Nothing Found	<b>Case Name:</b> Equal Employment Opportunity Commission v. Johnson Controls Inc et al <b>Case No.</b> 5:19-CV-00904 <b>Allegation:</b> Plaintiff seeks an order enjoining defendant from engaging in unlawful employment practices which discriminate based on gender and retaliating against individuals for reporting gender discrimination and harassment. <b>Case Status:</b> Ongoing <b>Date Filed:</b> 09/30/2019

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No.	Vendor Name	Sunbiz	DBPR	Tax Collector	West Law
12	Daikin Applied Americas, Inc.	Foreign Profit Corporation Principal Address: 13600 Industrial Park Blvd. Minneapolis, MN 55441  Date Filed: 10/01/2013	Main Address: 13600 Industrial Park Blvd, Minneapolis, Minnesota 55441	Nothing Found	<b>Case Name:</b> Alain Viergutz v. Daikin Applied Americas, Inc. <b>Case No.</b> 2018-034044-CA-01 <b>Allegation:</b> Defendant breached the warranty agreement by refusing to replace the blower unit causing damages to Plaintiff. <b>Status:</b> Removed to Federal Court. Disposition Date 12/20/2018
13	Air Contracting and Refrigeration Inc.	Florida Profit Corporation Principal Address: 10710 SW 125 <sup>th</sup> Ave, Miami, FL 33186  Date Filed: 08/31/2011	Nothing Found	Business Address: 10710 SW 125 Avenue, Miami, FL 33186 Paid/Current	No relevant cases on file
14	Vmech, Inc.	Florida Profit Corporation Principal Address: 16841 SW 49 <sup>th</sup> Court, Miramar, FL 33027  Date Filed: 07/09/2018	Main Address: 16841 SW 49 <sup>th</sup> Court, Miramar, FL 33027	Business Address: 15925 NW 49 <sup>th</sup> Avenue, Miami Gardens, FL 33014 Paid/Current	No relevant cases on file
15	Blizzard Air Conditioning LLC.	Florida Limited Liability Company Principal Address: 12201 SW 128 <sup>th</sup> CT Unit 107, Miami, FL 33186  Date Filed: 05/31/2019	Main Address: 12201 SW 128 <sup>th</sup> CT Unit 107, Miami, FL 33186	Business Address: 12201 SW 128 <sup>th</sup> Court, #107, Miami, FL 33186 Paid/Current	No relevant cases on file
16	Integrity Controls and Test & Balance, Inc.	Florida Profit Corporation Principal Address: 1470 NW 107 <sup>th</sup> Avenue, Unit 15N, Sweetwater, FL 33172  Date Filed: 03/10/2015	Main Address: 1470 NW 107 <sup>th</sup> Avenue, Unit 15N, Sweetwater, FL 33172	Business Address: 1471 NW 107 <sup>th</sup> Avenue, Doral, FL 33172 Paid/Current	No relevant cases on file
17	Climax Inc.	Florida Profit Corporation Principal Address: 4253 SW 71 <sup>st</sup> Avenue, Miami, FL 33155  Date Filed: 11/09/2010	Main Address: 4253 SW 71 <sup>st</sup> Avenue, Miami, FL 33155	3 Accounts Business Address: 4253 SW 71 <sup>st</sup> Avenue, Miami, FL 33155 Paid/Current	No relevant cases on file
18	MAM A C & Refrigeration Co.	Florida Profit Corporation Principal Address: 11110 W. Oakland Park Blvd. Suite 343, Sunrise m FL 33351  Date Filed: 02/01/2005	Main Address: 11110 W Oakland Park Blvd, Suite #343, Sunrise, Florida 33351	2 Accounts Business Address: 1600 NW 3 <sup>rd</sup> Avenue, Suite D18, Miami, FL 33136 Paid/Current	No relevant cases on file
19	Hill York Service Corporation	Florida Limited Liability Company Principal Address: 2125 S Andrews Avenue, FT. Lauderdale, FL 33316  Date Filed: 01/08/2019	Main Address: P.O. Box 22838, Fort Lauderdale, FL 33335	Nothing Found	<b>Case Name:</b> Jordan-Santos v. Hill York Service Corporation <b>Case No.</b> 9:18-CV-80376, <b>Status:</b> Closed as of 04/27/2018 Settlement Agreement

**BCC Meeting:  
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Research Notes**

**Item No. 8F4**

**File No. 200142 (192820)**

**Researcher: IL Reviewer: TD**

No.	Vendor Name	Sunbiz	DBPR	Tax Collector	West Law
20	Thermo Air Inc.	Florida Profit Corporation Principal Address: 2875 N 29 Avenue, Hollywood, FL 33020  Date Filed: 10/05/2006	Main Address: 2875 North 29 <sup>th</sup> Avenue, Hollywood, FL 33020	Nothing Found	No relevant cases on file
21	Weatherrol Maintenance Corp.	Florida Profit Corporation Principal Address: 7250 NE 4 <sup>th</sup> Avenue, Miami, FL 33138	Main Address: 7250 NE 4 <sup>th</sup> Avenue, Miami, FL 33138	Business Address: 7250 NE 4 <sup>th</sup> Avenue, Miami, FL 33138 Paid/Current	No relevant cases on file
22	Airmax Service Corporation	Florida Profit Corporation Principal Address: 5966 South Dixie Highway, Suite 300, South Miami, FL 33143  Date Filed: 07/12/2006	Main Address: P.O. Box 430210, Miami, FL 33243	2 Accounts Business Address: 5966 South Dixie Highway, Suite 300, South Miami, FL 33143 Paid/Current	No relevant cases on file
23	Temptrol Air Conditioning Inc.	Florida Profit Corporation Principal Address: 7169 SW 42 <sup>nd</sup> Terrace, Miami, FL 33155  Date Filed: 01/24/1983	Main Address: 6040 SW 118 <sup>th</sup> Street, Miami, FL 33156	Business Address: 7169 SW 42 <sup>nd</sup> Terrace, Miami, FL 33155 Paid/Current	No relevant cases on file
24	Thermal Concepts, Inc.	Florida Profit Corporation Principal Address: 2201 College Ave, Davie, FL 33317  Date Filed: 10/12/2017	Main Address: 2201 College Avenue, Davie, FL 33317	Nothing Found	No relevant cases on file
25	South Dade Air Conditioning & Refrigeration, Inc. Dba SDAC	Florida Profit Corporation Principal Address: 14510 SW 284 <sup>th</sup> Street, Homestead, FL 33033  Date Filed: 07/26/1985	Main Address: 13495 SW 260 <sup>th</sup> Street, Naranja, Florida 33032	Nothing Found	No relevant cases on file

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**Item No. 8F4**

**File No. 200142 (192820)**

**Researcher: IL Reviewer: TD**

No.	Vendor Name	Sunbiz	DBPR	Tax Collector	West Law
26	Loss Control & Recovery Inc, DbA Advanta Clean Commercial Services Group	Florida Profit Corporation Principal Address: 107 Parr Drive, Huntersville, NC 28078 Date Filed: 02/14/1994	Main Address: 1936 Brengle Avenue, Orlando, Florida 32808	Nothing Found	No relevant cases on file
27	Cool Breeze Air Conditioning Corp	Florida Profit Corporation Principal Address: 13120 SW 130 <sup>th</sup> Terrace, Miami, FL 33186 Date Filed: 09/14/1987	Main Address: 13120 SW 130 <sup>th</sup> Terrace, Miami, FL 33186	Business Address: 13120 SW 130 <sup>th</sup> Terrace, Miami, FL 33186	No relevant cases on file
28	Master Mechanical Services, Inc.	Florida Profit Corporation Principal Address: 15181 NW 33 <sup>rd</sup> Place, Miami, FL 33054 Date Filed: 11/09/1995	Main Address: 15181 NW 33 <sup>rd</sup> Place, Miami, FL 33054	Business Address: 15181 NW 33 <sup>rd</sup> Place, Miami, FL 33054	No relevant cases on file
29	Cool Water Air Conditioning Inc.	Florida Profit Corporation Principal Address: 760 South Shore Drive, Miami Beach, FL 33141 Date Filed: 08/03/1994	Main Address: 18956 NW 10 <sup>th</sup> Street, Pembroke Pines, Florida 33029	Business Address: 760 S Shore Drive, Miami-Beach, FL 33141	<b>Case Name:</b> Jamie Cumming v. Cool Water Air Conditioning Inc., <b>Case No.</b> 2019-012188-CA-01, <b>Allegation:</b> Defendant breached the contract by failing to pay him for all wages due and owing under the terms of agreement upon its termination of the plaintiff. <b>Status:</b> Ongoing, <b>Case Filed:</b> 04/23/2019
30	F X P Corp	Florida Profit Corporation Principal Address: 7400 SW 50 <sup>th</sup> Terrace, Unit 103, Miami, FL 33155 Date Filed: 08/15/1995	Nothing Found	Nothing Found	No relevant cases on file
31	Comfort Tech Air Conditioning Inc.	Florida Profit Corporation Principal Address: 13117 NW 107 Avenue. Bay 6, Hialeah Gardens, FL 33018 Date Filed: 06/18/1996	Main Address: 13117 NW 107 <sup>th</sup> Avenue #6, Hialeah Gardens, FL 33018	Business Address: 13117 NW 107 Ave #6, Hialeah Gardens, FL 33018	No relevant cases on file
32	Premier Airconditioning & Refrigeration	Florida Profit Corporation Principal Address: 2165 W. 10 <sup>th</sup> CT, Hialeah, FL 33010 Date Filed: 07/20/1999	Nothing Found	Nothing Found	No relevant cases on file



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**Item No. 8F4**

**File No. 200142 (192820)**

**Researcher: IL Reviewer: TD**

No.	Vendor Name	Sunbiz	DBPR	Tax Collector	West Law
33	Air Logic Services, Inc.	Florida Profit Corporation Principal Address: 13073 SW 133 <sup>rd</sup> Court, Miami, FL 33186 Date Filed: 07/29/2019	Main Address: 8973 SW 212 <sup>th</sup> Lane, Miami, FL 33189	Nothing Found	No relevant cases on file
34	D A C Air Conditioning Corp	Florida Profit Corporation Principal Address: 14650 SW 236 <sup>th</sup> Street, Princeton, FL 33032 Date Filed: 01/16/2009	Main Address: 14650 SW 236 <sup>th</sup> Street, Princeton, FL 33032	Nothing Found	No relevant cases on file
35	Poole & Kent Company of Florida	Foreign Profit Corporation Principal Address: 1781 N.W. North River Drive, Miami, FL 33125 Date Filed: 07/01/2004	Main Address: 1781 NW North River Drive, Miami, FL 33125	Nothing Found	No relevant cases on file
36	RGEN Enterprises LLC.	Florida Limited Liability Company Principal Address: 5716 NE 4 <sup>th</sup> Avenue, Miami, FL 33137 Date Filed: 04/23/2018	Main Address: 760 South Shore Drive, Miami-Beach, Florida 33141	Nothing Found	No relevant cases on file

**DEPARTMENTAL INPUT:**

The following enumerated questions were posed to the Internal Services Department. The department's answers have been bolded.

- I. Can ISD Provide a list of all HVAC Systems Countywide categorized by date of installation, Brand and Model type (by SEER, EER, COP, and ILV efficiency ratings), whether it has been repaired and when it is scheduled to be replaced?  
**The information requested in your 1<sup>st</sup> question simply does not exist. Going forward with the implementation of CIIP and the help of a contractor conducting a comprehensive assessment of all building systems, that detail will be available in the future.**
- II. Can ISD provide an itemized list illustrating where the \$5,880,551 has been spent thus far?  
**The level of detail is extremely time consuming to extract from ADPICS. We highly recommend that you contact ITD so they may help you identify this information in ADPICS. Unfortunately, at this time, we don't have the resources to comply with this request.**
- III. This contract has 36 vendors, is the equipment and/or supplies utilized by all 36 vendors compatible with any service and/or maintenance provider? **(No response received)**
- IV. Why wasn't this increase planned for when the original solicitation was advertised?  
**The item describes the fact that this allocation is now requested in light of the new funding stream that CIIP provides, which did not exist when the contract was established. There are a number of overdue projects in ISD buildings, especially the replacement of chillers at the North Dade Chiller Plant.**

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**Item No. 8F4  
File No. 200142 (192820)**

**Researcher: IL Reviewer: TD**

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1 of the Code of Miami-Dade County** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials, and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single-vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board.

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

**Resolution No. R-716-12**, adopted September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) program certification in any procurement item submitted for Board approval.

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

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

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

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

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

**Resolution No. R-140-15**, adopted February 3, 2015, authorizes replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the County.

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

**Resolution No. R-373-16**, adopted May 17, 2016, authorizing the establishment of prequalification pool RTQ-00299 in a total amount up to \$10,328,000 for Heating, Ventilating, and Air-Conditioning (HVAC) and Control Services for County Departments.

<http://intra/gia/matter.asp?matter=160575&file=true&yearFolder=Y2016>

**Resolution No. R-1147-18**, adopted November 8, 2018, authorizing an additional expenditure authority in a total amount up to \$2,532,000 for prequalification pool RTQ-00299 for Heating, Ventilating, and Air-Conditioning and Control Services for County Departments.

<http://intra/gia/matter.asp?matter=182296&file=true&yearFolder=Y2018>

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

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

**Implementing Order No. 3-38** sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department (ISD); the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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Research Notes**

**Item No. 8F5  
File No. 192777**

**Researcher: MF   Reviewer: PGE**

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-01286 IN A TOTAL AMOUNT UP TO \$5,460,000 FOR THE PURCHASE OF DELL HARDWARE, SOFTWARE, CLOUD SOLUTIONS, PROFESSIONAL SERVICES, MAINTENANCE AND SUPPORT FOR THE INFORMATION TECHNOLOGY 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 No. RTQ-01286*, for the purchase of Dell brand hardware, software and professional services, in the amount of \$5,460,000 for a term of five years, for the Information Technology Department.

**PROCEDURAL HISTORY**

**Prime Sponsor:** None

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

This was heard at the Health Care and County Operations Committee (HCCO) meeting of January 16, 2020 and forwarded to the BCC with a favorable recommendation. Previously, this item was carried over from the HCCO meeting of December 12, 2019 due to lack of quorum.

**ANALYSIS**

The purpose of this item is to gain Board authorization to establish *Prequalification Pool No. RTQ-01286* in the amount of \$5,460,000 for a five-year term to enable the County to continue purchasing Dell hardware, software and cloud solutions as well as professional, maintenance and support services. This long-term replacement pool supports the County's vast information technology infrastructure. The Information Technology Department will manage this pool on behalf of County departments. In order to qualify for the pool, the vendor must submit a letter from Dell documenting that it is part of Dell's Partner Direct Program at the Gold, Platinum or Titanium level. Additionally, the vendor shall provide a business contact who will be responsible for responding to County-issued spot market quotes.

The fiscal impact of \$5,460,000 for the five-year replacement term is broken down on the departmental level as follows:

- ❖ ITD for County departments: \$2,500,000;
- ❖ Library System: \$2,860,000; and
- ❖ Fire Rescue: \$100,000.

The current pool (*RTQ-00448*) is valued at \$2,010,000 for a three-year and three-month term and expires March 31, 2020. Note that the current pool's original expiration date was December 31, 2019; the current March 31, 2020 expiration date reflects a three-month administrative extension. Pursuant to Resolution No. R-718-17, the Administration is directed to commence reprourement planning no later than 18 months prior to the expiration of contracts and prequalification pools for purchases of goods or services

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The annual allocation under the replacement pool is \$1,092,000 while the annual allocation under the current pool is \$618,462. The mayor's memorandum attributes the replacement pool's higher allocation to estimated usage and the longer term.

OCA examined the current pool's Blanket Purchase Order (BPO) in the Bid Tracking System (BTS) on January 31, 2020. The BPO shows a zero balance. There are less than two months remaining on the pool.

A total of nine vendors responded, including one "No Bid." Of those nine vendors, five have met the prequalification criteria and are being recommended for inclusion in this pool. Only one of the five recommended vendors has a local address. The recommended vendors are listed below. An asterisk (\*) denotes the local vendor.

- Computers at Work!, Inc. dba VTechio
- Insight Public Sector, Inc.
- Softchoice Corporation
- United Data Technologies, Inc.\*
- World Wide Technology, LLC

Note that, of the recommended vendors, the sole incumbent is United Data Technologies, Inc.

OCA performed a search for commodity codes 20511 (Central Processing Unit, Microcomputer); 20513 (Central Processing Unit, Minicomputer); and 20554 (Software, Application: Preprogrammed Software) on the Business Management Workforce System's Certified Vendor Directory on January 31, 2020. Listed below are the local SBEs identified:

- International Consulting Group, Inc., dba ICG, Miami, FL SBE-G&S
- Laser Products, Inc., Miami, FL SBE-G&S
- Network & Communication Services, Inc., Miami, FL SBE-G&S

The results from this search do not necessarily indicate that the identified local small business firms can deliver the requested goods and services for this solicitation.

OCA performed due diligence on the vendors being recommended for inclusion in the pool; the findings are shown below.

Awarded Firm(s)	Corporate Registration	Tax Collectors Office	Florida DBPR	Westlaw
Computers at Work!, Inc. dba VTechio	Florida Profit Corporation  Active  Principal Address: 3033 Winkler Ave., Suite 100 Fort Myers, FL	No account on file	No account on file	No relevant cases

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**Researcher: MF   Reviewer: PGE**

	Filed: February 23, 2001			
Insight Public Sector, Inc.	Foreign Profit Corporation  Active  Principal Address: 6820 S. Harl Ave. Tempe, AZ 85283  Filed: July 8, 1997	No account on file	Current  Licensed for: Electrical Business Information	No relevant cases
Softchoice Corporation	Foreign Profit Corporation  Active  Principal Address: 173 Dufferin St., Suite 200 Toronto, ON Canada  Filed: April 22, 1999	No account on file	No account on file	No relevant cases
United Data Technologies, Inc.  (Local & Incumbent)	Florida Profit Corporation  Active  Principal Address: 2900 Monarch Lakes Blvd., Suite 300 Miramar, FL 33027  Filed: March 23, 1995	Business Address: 14042 NW 82 Ave. Hialeah, FL  Status: Paid and Current	No account on file	No relevant cases
World Wide Technology, LLC	Foreign Profit Corporation  Active  Principal Address: 1 World Wide Way St. Louis, MO  Filed: August 23, 2018	No account on file	No account on file	No relevant cases

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1 of the Code of Miami-Dade County** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board.

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**Item No. 8F5**  
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**Researcher: MF   Reviewer: PGE**

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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)

**Implementing Order No. 3-38** sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department (ISD); the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

**Resolution No. R-828-19**, adopted July 23, 2019, establishes a policy of Miami-Dade County for disclosure of past and present discrimination lawsuits in solicitation submissions.

<http://intra/gia/matter.asp?matter=190936&file=true&yearFolder=Y2019>

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

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

**Resolution No. R-718-17**, adopted July 6, 2017, directs the mayor or his designee to commence planning for re-procurement no later than 18 months prior to the expiration of contracts and prequalification pools for purchases of goods or services and directing the county mayor or his designee on a quarterly basis to identify in writing to the commission auditor those contracts that prequalification pools that are set to expire no later than 18 months prior to expiration.

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

**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 and services of the scopes of services of 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>

**Resolution No. R-716-12**, adopted September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) program certification in any procurement item submitted for Board approval.

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

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

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

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

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

**BCC Meeting: February 4, 2020  
Research Notes**

**Item No. 8F6**

**File No. 192803**

**Researcher: VW Reviewer: PGE**

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01293 FOR THE PURCHASE OF VEHICLE RENTAL SERVICES TO ROYAL RENT A CAR SYSTEMS OF FLORIDA, INC., AND ENTERPRISE LEASING COMPANY OF FLORIDA, LLC. MULTIPLE DEPARTMENTS WILL UTILIZE THE CONTRACT WITH AN AMOUNT NOT TO EXCEED \$28,314,600.00, FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the award of *Contract No. FB-01293, Vehicle Rental Services*, to Royal Rent A Car Systems of Florida Inc. and Enterprise Leasing Company of Florida LLC in an amount not to exceed \$28,314,600 for a five-year term for use by multiple County Departments.

**PROCEDURAL HISTORY**

**Prime Sponsor:** None

**Department/Requester:** Internal Services

The item was originally scheduled for the December 12, 2019 Health Care and County Operations Committee (HCCO) meeting; however, the item was carried over due to a lack of quorum. Subsequently, the item was placed on the January 16, 2020 HCCO meeting agenda wherein it was forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

The purpose of this item is to gain Board approval of a replacement contract for vehicle rental services to support the operational requirements of multiple County departments. The contract value for the five-year term is \$28,314,600. The contract provides a variety of vehicle classifications to meet the County's rental needs. Vehicle classes include, but are not limited to, economy, compact, intermediate, premium, luxury, cargo van, passenger minivan, standard SUV and standard pickup.

Under the solicitation, the method of award was to multiple responsive and responsible bidders who met the qualification criteria in the aggregate (i.e., daily, weekly, monthly and bi-annual rates) based on the lowest-fixed rental rates per vehicle class. County staff shall issue purchase orders to the awarded bidder with the lowest fixed rate per required vehicle class. If that bidder is unable to meet the purchase order requirements, staff may then order from the next lowest awarded bidder offering the same vehicle class. To be qualified for award, the bidder shall be regularly engaged in the business of providing contracted vehicle rental services to government agencies and/or private corporations. The bidder shall also provide the contact information of a designated representative to furnish the County with information and support concerning rental vehicles.

The fiscal impact is \$28,314,600 for a five-year term, \$254,400 less than the current contract 8809-0/19 which is valued at \$28,569,000 and set to expire on May 28, 2020. The biggest user department under this award is Police, requesting a total of \$16,864,000 for the term, representing more than 50% of the contract value. The allocation under the replacement contract is slightly lower than the cumulative allocation of the current contract based on the departments' projected usage.

The current contract (No. 8809-0/19) was awarded on February 2, 2015 for a five-year and three-month term and is set to expire on May 28, 2020. The expiration date reflects a three-month administrative extension, i.e., from the original expiration date of February 28, 2020 to May 28, 2020. As of January 28, 2020, the contract's Blanket Purchase Order



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**Item No. 8F6**  
**File No. 192803**

**Researcher: VW Reviewer: PGE**

shows that \$21,102,951.68 of the \$28,569,000.00 allocation has already been released, leaving a balance of \$7,466,048.32 with four months left on the contract.

As per Resolution No. R-718-17, re-procurement of the contract should have commenced no later than September 2018, 18 months before the original expiration of the contract on February 28, 2020.

The replacement solicitation was advertised on September 19, 2019. Two vendors responded to the solicitation, and both of those vendors (Royal Rent A Car Systems of Florida Inc. and Enterprise Leasing Company of Florida LLC) are being recommended for award. Note that the recommended vendors are contract incumbents.

OCA performed due diligence on the two awarded firms, Royal Rent A Car Systems of Florida Inc, and Enterprise Leasing Company of Florida LLC, on December 10, 2019. The findings are summarized in the table below:

<b>Awarded Firms</b>	<b>Corporate Registration</b>	<b>Tax Collector's Office</b>	<b>Florida DBPR</b>	<b>Westlaw</b>
Royal Rent A Car Systems of Florida Inc.	Florida Profit Corporation  Active  Principal Address: 3650 NW S. River Dr Miami, FL 33142  Filed: 08/22/1983	Business Address: 3650 NW S. River Dr Miami, FL 33142  Status: Paid and Current	No account on file	Nothing found
Enterprise Leasing Company of Florida LLC	Foreign Limited Liability Company  Active  Principal Address: 5105 Johnson Road Coconut Creek, FL 33073  08/04/2009	Business Address: 3025 NW 123rd St Miami, FL 33167  Status: Paid and Current	No account on file	<i>Denice Fernandez v. Enterprise Leasing Company of Florida, L.L.C., et al Defendant</i> (Case No. CACE19013046); Filed on 06/20/2019 in the 17th Judicial Circuit, Broward County; Allegation: Defendant discriminated and harassed the plaintiff based on her race, sex and wrongfully terminated plaintiff in retaliation of protected activity; Case status: Discovery phase; last event was a Motion to Compel Discovery on 01/24/20.

A January 28, 2020 Business Management Workforce System search for the solicitation's Commodity Code, 97514 – Rental or Lease of Automobiles and Other Passenger – yielded the following certified local small business enterprise:

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**Researcher: VW Reviewer: PGE**

- Unique Charters Inc.

**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(f) of the Code of Miami-Dade County**, (*Citizens' Independent Transportation Trust (CITT)*) 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\\_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551FLST2001\\_S29-124SPFUCRUSSUPRROCIINTRTR](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH29TA_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551FLST2001_S29-124SPFUCRUSSUPRROCIINTRTR)

**Resolution No. R-718-17**, adopted July 6, 2017, directs the county mayor to commence planning for re-procurement no later than eighteen months prior to the expiration of contracts and prequalification pools for purchases of goods or services and directs the county mayor on a quarterly basis to identify in writing to the commission auditor those contracts and prequalification pools that are set to expire no later than eighteen months prior to expiration.

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

**Resolution No. R-1011-15**, adopted November 3, 2015, directs the county mayor to require that vendors provide addresses of all local branch offices and headquarters and the number and percentage of local residents such vendors employ; and directing the county mayor to include such information in memorandum to Board pertaining vendor being recommended for contract.

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

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

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

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

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

**Resolution No. R-140-15**, adopted February 3, 2015, directs the County Mayor to conduct a full review prior to the reprocurement 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 R-828-19**, adopted in July 23, 2019, establishes a policy of the County for disclosure of past and present discrimination lawsuits in solicitation submissions.

**BCC Meeting: February 4, 2020**  
**Research Notes**

**Item No. 8F6**  
**File No. 192803**

**Researcher: VW Reviewer: PGE**

<http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2019/190936min.pdf>

**Resolution R-101-15**, adopted on February 2, 2015, awarded contract 8809-0/19 to Royal Rent-A-Car Systems of Florida, Inc. as primary vendor and Enterprise Leasing Company of Florida, LLC as a secondary vendor in the total amount not to exceed \$23,808,000 for a term of five years.

<http://intra/gia/matter.asp?matter=150254&file=false&yearFolder=Y2015>

**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>

**BCC Meeting:  
February 4, 2020  
Research Notes**

**Item No. 8F7  
File No. 193023**

**Researcher: IL   Reviewer: TD**

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$266,803.00 FOR A MODIFIED TOTAL CONTRACT AWARD OF \$1,166,803.00 OF CONTRACT NO. FB-00714 FOR ADOBE SOFTWARE LICENSES AND MAINTENANCE SUPPORT FOR THE INFORMATION TECHNOLOGY 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 authorize additional expenditure approval in the amount up to \$266,803 for Contract No. FB-00714 for Adobe software licenses and maintenance support for the Information Technology department (ITD).

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

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

This item was brought before the Health Care and County Operations Committee on January 16, 2020, where it was forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

The purpose of this item is to add an additional amount of \$266,803 to Contract No. FB-00714 for the purchase of for Adobe software licenses and maintenance support.

The fiscal impact to the County is \$266,803. OCA performed a review of existing Contract No. FB-00714 on January 10, 2020. The original allocation for this contract was an amount of \$900,000 with a three-year term set to expire on December 31, 2020. Should this additional expenditure be approved, the pool will have a modified cumulative allocation of \$1,166,803.

OCA conducted a review of this contract on the Bid Tracking System's (BTS) Blanket Purchase Order tab on January 31, 2020.

Department	Allocation Amount	Released Amount	Balance	Requested Amount
ITD	\$ 900,000	\$ 694,802	\$ 205,197	\$ 266,803

OCA conducted a review of the awarded firm on January 31, 2020:

Vendor Name	Sunbiz	DBPR	Tax Collector	West Law
Emergent LLC	Florida Limited Liability Company Principal Address: 10151 University Blvd., Suite #172, Orlando, FL 32817  Date Filed: November 05, 2012	None	None	No relevant cases found

**BCC Meeting:  
February 4, 2020  
Research Notes**

**Item No. 8F7  
File No. 193023**

**Researcher: IL   Reviewer: TD**

On January ,24, 2017 the Board approved Resolution No. R-31-17 authorizing the additional expenditure authority in a total amount up to \$300,000 for Contract No.9504-2/17-2 for Adobe Software Licenses and Maintenance Support for ITD. December 26,2017, the current contract (FB-00714) was set in place. Conducting this procurement every three years allows different vendors the opportunity to do business with the County. This results in avoiding a sole source or legacy contract scenario.

**ADDITIONAL INFORMATION**

Below is the logo of the Adobe application and an explanation of its uses:



When you purchase a product from Adobe, a license represents your right to use Adobe software and services. Licenses are used to authenticate and activate the products on the end user's computers.

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1 of the Code of Miami-Dade County** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board.

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

**Resolution No. R-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>

**BCC Meeting:  
February 4, 2020  
Research Notes**

**Item No. 8F7**  
**File No. 193023**

**Researcher: IL   Reviewer: TD**

**Resolution No. R-31-17**, adopted January 24, 2017, authorizes the additional expenditure authority in a total amount up to \$300,000 for Contract No. 9504-2/17-2 for Adobe Software Licenses and Maintenance Support for the Information Technology Department.

<http://www.miamidade.gov/govaction/matter.asp?matter=162630&file=true&fileAnalysis=false&yearFolder=Y2016>

**Resolution No. R-140-15**, adopted February 3, 2015, authorizes replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the county.

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

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

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

**Implementing Order No. 3-38** sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department (ISD); the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

**BCC Meeting: February 4, 2020  
Research Notes**

**Item No. 8F8  
File No. 193030**

**Researcher: JFP Reviewer: TD**

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-01137 IN A TOTAL AMOUNT UP TO \$37,400,000.00 FOR THE PURCHASE OF HAULING AND DISPOSAL OF SOLID WASTE FOR THE SOLID WASTE 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 establishment of *Prequalification Pool No. RTQ-01137, Hauling and Disposal of Solid Waste*, for the Department of Solid Waste Management (DSWM) in the amount of up to \$37,400,000 for a term of five years.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department**

This item was forwarded to the BCC with a favorable recommendation by the Health Care and County Operations Committee at its January 16, 2020 meeting.

**ANALYSIS**

The purpose of this item is to establish a prequalification pool for solid waste hauling and disposal services for use by DSWM on an as needed basis. The total allocation for the five-year term is \$37,400,000. Vendors in the pool will utilize their own tractor trailers to haul solid waste from a County facility to a designated disposal facility and are responsible for all components and costs related to operation and maintenance of the tractors for this purpose. DSWM is in need of these services to preserve the capacity of its landfill and as a backstop in the event of an emergency, e.g., a catastrophic hurricane, or a fire or mechanical event at DSWM's Resources Recovery Facility (RRF). DSWM currently has disposal capacity agreements with landfills out of the County. This pool would provide the missing component needed—contracted vehicles to transport and dispose municipal solid waste to these out of County landfills.

There is no current County contract for these services. DSWM has contracted similar services in the past for hurricane debris cleanup, but not for day-to-day long-hauling and disposal of municipal solid waste.

A Request to Qualify was issued and advertised, with six vendors responding. Of the six respondents, one indicated that it will not be providing an offer and was therefore deemed a "no bid". Three of the respondents are being recommended for inclusion in the pool, all of which are local vendors. Vendors may be added to the pool at any time, and additional outreach is being conducted to encourage participation.



**BCC Meeting: February 4, 2020  
Research Notes**

**Item No. 8F8**

**File No. 193030**

**Researcher: JFP Reviewer: TD**

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

<b>Awarded Firm</b>	<b>Corporate Registration</b>	<b>Tax Collector's Office</b>	<b>Florida DBPR</b>	<b>Litigation (Westlaw)</b>
All Florida Land Cleaning, Inc.	Florida Profit Corporation  Active  Principal Address: 3805 NW 132nd St. Opa Locka, FL 33054  Filed: May 3, 1991	Business Address: 3805 NW 132nd St. Opa Locka, FL 33054  Status: Paid and Current	No account on file.	No relevant cases.
G7 Holdings, Inc. dba GarbageMan.com	Florida Profit Corporation  Active  Principal Address: 8600 NW 36th Avenue Miami, FL 33147  Filed: April 27, 2000	Business Address: 8600 NW 36th Avenue Miami, FL 33147  Status: Paid and Current	License Type: Certified General Contractor	No relevant cases.
RAS Investments, Corp. dba RAS Construction	Florida Profit Corporation  Active  Principal Address: 782 NW 42nd Avenue Suite 429 Miami, FL 33126  Filed: November 12, 1999	Business Address: 782 NW 42nd Avenue Suite 429 Miami, FL 33126  Status: Paid and Current	No account on file.	No relevant cases.

**BCC Meeting: February 4, 2020  
Research Notes**

**Item No. 8F8**

**File No. 193030**

**Researcher: JFP Reviewer: TD**

A January 27, 2020 search on the Business Management Workforce System for the pool's Commodity Code— 96871 Solid or Liquid Waste Disposal, Including Management Services—yielded the following two certified local Small Business Enterprise firms:

- Pump Outs Unlimited, Inc., dba Pump Outs
- United Medical Industries Corp.

These certified small business firms are not prequalified under this pool.

**DEPARTMENTAL INPUT**

The Office of the Commission Auditor posed the following questions to the Department of Solid Waste Management. The responses are delineated in bold.

- Has the County ever contracted for these services in the past? **Not to my knowledge. We have done so for hurricane debris cleanup, but not for day-to-day long-hauling and disposal of municipal solid waste (MSW).**
- Why is there a current need for these services? **We will use this pool contract as 'insurance' in case, for example, of a catastrophic hurricane, fire or mechanical event at our Resources Recovery Facility (RRF), where we currently process ~1 million tons of MSW every year. We have disposal capacity agreements in landfills out of the county, but no contractual vehicle to transport and dispose. This pool would provide the missing component.**
- Why does the award value differ from the advertised value of \$36.4 million, as seen in the County's Bid Tracking System? **Response currently pending.**

**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-187-12**, adopted February 21, 2012, directed the County Mayor to include due diligence information in memoranda recommending certain contract awards.

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

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

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

**Resolution No. R-140-15**, adopted February 3, 2015, directs the County Mayor to conduct a full review prior to the re-procurement of replacement contracts for goods and services of the scope of services or goods requested to ensure such contracts reflect the current needs of the County and include such information in recommendations to the Board.

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

**BCC Meeting: February 4, 2020**  
**Research Notes**

**Item No. 8F8**  
**File No. 193030**

**Researcher: JFP Reviewer: TD**

**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-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 nonlocal 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 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>

**BCC Meeting:  
February 4, 2020  
Research Notes**

**Item No. 8F9  
File No. 193024**

**Researcher: IL Reviewer: TD**

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY OF UP TO \$450,000.00 FOR A TOTAL AMOUNT OF UP TO \$1,445,000.00 FOR PREQUALIFICATION POOL NO. 00115 FOR PURCHASE OF LENEL ONGUARD SOFTWARE, SUPPORT AND MAINTENANCE FOR THE MIAMI-DADE POLICE DEPARTMENT

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize an additional expenditure authority in an amount up to \$450,000 for Prequalification Pool No. 00115 for the purchase of Lenel Onguard Software, Support, and Maintenance for the Miami-Dade Police Department.

**PROCEDURAL HISTORY**

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

This item was brought before the Public Safety and Rehabilitation Committee on January 15, 2020, it was forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

The purpose of this item is to approve an additional expenditure authority in an amount up to \$450,000 for the purchase of Lenel Onguard Software, Support, and Maintenance. This system is a keyless card entry security system providing employees with access to secured areas. An expansion of the existing system is needed at Northwest, South, Kendall, and Miami-Dade Police Headquarters. Additionally, the Intracoastal District and the Professional Compliance Bureau Building are in need of the keyless card entry security system as well.

The fiscal impact to the County is \$450,000 having a cumulative total of \$1,445,000. Below is a chronology of Prequalification Pool No. 00115:

Approval Path	Date	Type	Dollar Amount
Administrative Approval	October 29, 2015	Establishes the Pool	\$ 995,000
File No. 193024	Proposed	Additional Expenditure	\$ 450,000
<b>Total</b>			<b>\$ 1,445,000 ↑ (68%)</b>

OCA conducted a review of this contract on the Bid Tracking System's (BTS) Blanket Purchase Order tab on January 31, 2020. (See Below)

Department	Allocation Amount	Released Amount	Balance	Requested Amount	Justification
Police Department	\$ 337,830	\$ 337,472	\$ 357.93	\$ 450,000	N/A
Seaport	\$ 657,170	\$ 149,740	\$ 507,430	\$ 0	N/A
Total	\$ 995,000	\$ 487,212	\$ 507,787	\$ 450,000	

The item is silent as to how many Keyless Card entry security systems have been replaced, repaired, supplied, and installed since the initial award on October 29, 2015.

Currently, there are three prequalified vendors, of which all have a local address, and three are certified Small Business Enterprise in compliance with Resolution No. R-477-18 requiring more than 75% of vendors in a pool as local businesses.

**BCC Meeting:  
February 4, 2020  
Research Notes**

**Item No. 8F9  
File No. 193024**

**Researcher: IL Reviewer: TD**

OCA conducted a due diligence analysis of the three prequalified vendors in BTS on January 31, 2020:

No.	Vendor Name	Sunbiz	DBPR	Tax Collector	West Law
1	ATCI Communications, Inc.	Florida Profit Corporation Principal Address: 5100 Town Center Tower II, Suite 350, Boca Raton, FL 33486  Date Filed: 06/21/2012	License Type: Electrical Contractor  Main Address: 5410 S.W. 90 <sup>th</sup> Terrace, Cooper City, Florida 33328	Business Address: 1270 N.W. 165 <sup>th</sup> Street, Miami, FL 33169  Paid/Current	No relevant cases on file
2	AVI Integrators Inc	Florida Profit Corporation Principal Address: 1520 N. Powerline Road, Pompano Beach, FL 33069  Date Filed: 10/30/2006	License Type: Electrical Contractor  Main Address: 1520 N. Powerline Road, Pompano Beach, Florida 33069	2400 W 84 <sup>th</sup> St Unit 15, Hialeah, FL 33016	No relevant cases on file
3	Integrated Fire & Security Solutions Inc	Florida Profit Corporation Principal Address: 1970 Dana Dr. Suite, Fort Myers, FL 33907  Date Filed: 02/14/2019	License Type: Electrical Contractor  Main Address: 1970 Dana Dr. Suite, Fort Myers, FL 33907	Business Address: 13250 N.W. 7 <sup>th</sup> Avenue, Miami, FL 33168  Paid/Current	No relevant cases on file

**BCC Meeting:  
February 4, 2020  
Research Notes**

**Item No. 8F9  
File No. 193024**

**Researcher: IL Reviewer: TD**

**APPLICABLE LEGISLATION/POLICY5**

**Section 2-8.1 of the Code of Miami-Dade County** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials, and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single-vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board.

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

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

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

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

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

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

**Implementing Order No. 3-38** sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department (ISD); the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

**BCC Meeting: February 4, 2020  
Research Notes**

**Item No. 8G3  
File No. 193013**

**Researcher: VW    Reviewer: PGE**

RESOLUTION APPROVING THE BUDGET FOR FISCAL YEAR 2019-20 FOR THE SOUTH MIAMI COMMUNITY REDEVELOPMENT AGENCY AND SOUTH MIAMI COMMUNITY REDEVELOPMENT AREA TOTALING \$3,593,089.00.

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the Fiscal Year 2019-20 budget, totaling \$3,593,089, for the South Miami Community Redevelopment Agency and the South Miami Community Redevelopment Area.

**PROCEDURAL HISTORY**

**Prime Sponsor:** Commissioner Xavier L. Suarez, District 7  
**Department/Requester:** Office of Management and Budget

This item was brought before the Housing Social Services and Economic Development Committee on January 13, 2020 and forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

The purpose of this item is to approve the budget for Fiscal Year 2019-20 for the South Miami Community Redevelopment Agency (CRA) and the South Miami Community Redevelopment Area (Area), totaling \$3,593,089. The Interlocal Agreement between the CRA and the County requires that the Agency's annual budget be approved by the Board of County Commissioners prior to the Agency expending any funds. The previous budget for Fiscal Year 2018-19 was approved by the Board pursuant to Resolution No. R-54-19 on January 23, 2019 in the amount of \$3,443,980. The CRA's Fiscal Year 2019-2020 budget was approved by the Agency on August 6, 2019 and by the City of South Miami on August 20, 2019.

The South Miami Community Redevelopment Agency is an urban initiative established on June 16, 1998 to address documented slum and blight conditions in the City of South Miami by improving the physical environment and quality of life in the redevelopment area. The CRA is a neighborhood development agency in Commission District 7, represented by Commissioner Xavier L. Suarez. The CRA's geographic area is generally described as being bounded by SW 62nd Avenue on the West, SW 62nd Street on the North, SW 57th Avenue on the East, and SW 72nd Street on the South. The specific goals of the CRA continue to be the increase of property values within the area, the provision of enhanced safety to the area's residents in the form of community policing, and the identification of opportunities to improve the physical quality of life for the businesses and residents of the area in accordance with the Community Redevelopment Plan. Note that the CRA is currently scheduled to sunset on June 1, 2020. Based on correspondence with South Miami CRA Director Evan Fancher, the South Miami CRA will meet on February 3, 2020 to decide whether or not the CRA's existence will be extended.



**BCC Meeting: February 4, 2020**  
**Research Notes**

**Item No. 8G3**  
**File No. 193013**

**Researcher: VW    Reviewer: PGE**

The table below displays individual revenue items constituting the amended budget for 2018-19 and the budget for 2019-20.

<b>South Miami CRA Revenues</b>		
	(FY 18-19)	(FY 19-20)
COSM Increment	\$738,889	\$748,039
MDC Increment	\$801,802	\$811,782
Cash Carryover	\$1,866,039	\$2,003,468
All Other Revenues	\$33,000	\$26,000
Interest Earnings	\$4,250	\$3,800
<b>Revenue Total</b>	<b>\$3,443,980</b>	<b>\$3,593,089</b>

The table below displays individual expenditure items constituting the budget for 2019-20.

<b>South Miami CRA Expenditures</b>		
	(FY 18-19)	(FY 19-20)
Administrative Expenditures + 1.5% County Admin Charge	\$198,213	\$201,515
Operating Expenditures	\$3,240,767	\$3,278,884
Reserve/Contingency	\$5,000	\$112,690
<b>Total Expenditures</b>	<b>\$3,443,980</b>	<b>\$3,593,089</b>

The CRA adopted the FY 2019-20 budget of \$3,593,089 on August 6, 2019 basing numbers on projections of tax revenues and cash balances at the end of FY 2018-19, including \$2,003,468 in carryover funds and \$3,800 in projected interest earnings, in addition to the tax revenue of \$1,559,821. Summary information regarding the CRA's 2019-20 budget line items relative to the CRA's 2018-19 budget line items is provided in the table below.

<b>South Miami</b>		
	(FY 18-19)	(FY 19-20)
Administration	\$186,186	\$189,338
Legal and Other Uses	\$34,027	\$84,177
Infrastructure	\$170,000	\$1,300,000
Economic Development	\$20,000	\$140,000
Housing Improvements	\$130,000	\$125,000
Property Management	\$109,432	\$109,703

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**Research Notes**

**Item No. 8G3**  
**File No. 193013**

**Researcher: VW    Reviewer: PGE**

Marketing	\$40,500	\$62,500
Community Policing & Outreach	\$227,152	\$225,087
Operating Expenses	\$15,500	\$17,750
General Fund Transfers	\$110,965	\$185,087
Redevelopment Services	\$2,300,218	\$1,046,757
Reserve/Contingency	\$5,000	\$107,690
<b>Total Expenditures</b>	<b>\$3,348,980</b>	<b>\$3,593,089</b>

During the life of the CRA, it has completed various improvements including water and sewer connections, sidewalk installation and improvements, streetscapes, beautification projects, approximately 100 home rehabilitations, new housing projects and various other community improvement projects. In 2020, Madison Square, a mixed-use affordable housing development being constructed on land which the CRA conveyed for development is expected to be completed.

**ADDITIONAL INFORMATION**

The South Miami Community Redevelopment Agency is charged with the responsibility of eliminating conditions of blight that exist within the City and helping to improve the quality of life by revitalizing the City's physical, economic, educational and social resources.

<https://www.southmiamifl.gov/409/CRA-Plan>

**APPLICABLE LEGISLATION/POLICY**

**Chapter 163, Part III, Florida Statutes** (The Community Redevelopment Act) governs community redevelopment programs. The Act authorizes counties and municipalities in the State of Florida to create community redevelopment agencies, to prepare redevelopment plans for certain defined areas within their boundaries designated as community redevelopment areas, within which community redevelopment projects and activities may be undertaken to eliminate and prevent the development and spread of slum and blighted areas through the use of creative financing mechanisms.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0100-0199/0163/0163PARTIIIContentsIndex.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0163/0163PARTIIIContentsIndex.html)

**Section 163.356, Florida Statutes** governs the creation of community redevelopment agencies.

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=163.356&URL=0100-0199/0163/Sections/0163.356.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=163.356&URL=0100-0199/0163/Sections/0163.356.html)

**Section 163.387, Florida Statutes** governs redevelopment trust funds. A redevelopment trust fund may be established for each community redevelopment agency after approval of a community redevelopment plan. Funds in the trust shall be used by the agency to finance or refinance any community redevelopment in accordance with the approved community redevelopment plan.

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=163.387&URL=0100-0199/0163/Sections/0163.387.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=163.387&URL=0100-0199/0163/Sections/0163.387.html)

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**Item No. 8G3**

**File No. 193013**

**Researcher: VW    Reviewer: PGE**

**Resolution No. R-1374-96**, adopted on December 3, 1996, declares certain geographic area of the city of the south Miami, Florida described generally as bounded by S.W. 62nd avenue on the west, S.W. 62nd street on the north, S.W. 57th avenue on the east, and S.W. 72nd street on the south to be a slum or blighted area and creates the South Miami Community Redevelopment Agency (CRA).

<http://intra/gia/matter.asp?matter=963262&file=false&yearFolder=Y1996>

**Ordinance No. 98-79**, adopted on June 16, 1998, establishes the South Miami Community Redevelopment Agency's (CRA) Community Redevelopment Plan.

<http://intra/gia/matter.asp?matter=981071&file=false&yearFolder=Y1998>

**Ordinance No. 98-80**, adopted on June 16, 1998, establishes the South Miami CRA's redevelopment Trust Fund.

<http://intra/gia/matter.asp?matter=981061&file=false&yearFolder=Y1998>

**Ordinance No. 99-100**, adopted on September 9, 1999, establishes an Interlocal Agreement between Miami-Dade County and the South Miami CRA.

<http://intra/gia/matter.asp?matter=992733&file=false&yearFolder=Y1999>

**Resolution No. R-327-04**, adopted January 16, 2004, approving First Amendment to Interlocal Cooperation Agreement among county, city of South Miami and South Miami CRA to increase administrative cap on expenses to twenty percent.

<http://intra/gia/matter.asp?matter=040139&file=true&yearFolder=Y2004>

**Resolution No. R-446-05**, adopted on May 3, 2005, approves the amended plan for the South Miami CRA area and extends the Agency for fifteen years, until 2020.

<http://intra/gia/matter.asp?matter=051035&file=true&yearFolder=Y2005>

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**Item No. 8L6  
File No. 193049**

**Researcher: CB    Reviewer: TD**

RESOLUTION APPOINTING MARC ELLENBY TO THE AGRICULTURAL PRACTICES ADVISORY BOARD FOR THE REMAINDER OF A FOUR-YEAR TERM

**ISSUE/REQUESTED ACTION**

N/A

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Dennis C. Moss, District 9.**

**Department/Requester: N/A**

**ANALYSIS**

OCA completed the required background research on “Marc Ellenby” noting no adverse findings.

**APPLICABLE LEGISLATION**

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

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Research Notes**

**Item No. 8N21  
File No. 193054**

**Researcher: MF   Reviewer: PGE**

RESOLUTION APPROVING CONTINUATION OF SPENDING AUTHORITY BEYOND MARCH 7, 2020 FOR AN ADDITIONAL YEAR FOR WORK ORDERS RELATED TO THE STRATEGIC MIAMI AREA RAPID TRANSIT (SMART) PLAN THROUGH THREE EXISTING PROFESSIONAL SERVICES AGREEMENTS FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS: 1) CONTRACT NO. CIP142-TR-15-PE1 WITH WSP USA, INC., FORMERLY KNOWN AS PARSONS BRINCKERHOFF, INC.; 2) CONTRACT NO. CIP142-1-TPW16-PE1(1) WITH PARSONS TRANSPORTATION GROUP, INC.; AND 3) CONTRACT NO. CIP142-1-TPW16-PE1(2) WITH AECOM TECHNICAL SERVICES, INC. (AECOM)

**ISSUE/REQUESTED ACTION**

Whether the Board should approve a continuation of Professional Services Agreements (PSA) between the County and WSP USA Inc., Parsons Transportation Group, Inc., and AECOM Technical Services for work orders related to the Strategic Miami Area Rapid Transit (SMART) Plan for one additional year.

**PROCEDURAL HISTORY**

**Prime Sponsor:** N/A

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

This item was heard at the Transportation and Finance Committee meeting of January 15, 2020 and forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

The purpose of this item is for the Board to authorize the continuation of a professional services agreements for another year, beyond March 7, 2020, for three existing PSAs related to the SMART Plan. The contracts and respective firms are as follows:

- Contract No. CIP142-TR-15-PE1 – WSP USA, Inc. (formerly known as Parsons Brinckerhoff, Inc.)
- Contract No. CIP142-1-TPW16-PE1(1) – Parsons Transportation Group, Inc.
- Contract No. CIP142-1-TPW16-PE1(2) – AECOM Technical Services, Inc.

There is no fiscal impact for this item currently. The Board approved an increase in contract amounts for each PSA and authorized work orders for an additional year (beyond March 7, 2019) for the SMART Plan on February 5, 2019, pursuant to Resolution Nos. R-151-19, R-152-19 and R-153-19. The present request will allow the firms to continue to work for another year under the previously approved allocated amounts from the 2019 legislation. The scope of work consists of designing six rapid transit corridors and a network of Bus Express Rapid Transit (BERT) routes. This item requires review by the Citizens Independent Transportation Trust (CITT).

Table 1 shows a summary of the PSAs awarded to WSP USA Inc., Parsons Transportation Group, Inc., and AECOM Technical Services from 2017 through 2019, respectively.

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**Researcher: MF   Reviewer: PGE**

**Table 1**

<b>Awarded Firms</b>	<b>2017 Approvals (R-256-17, R-257-17, R-258-17)</b>	<b>2018 Approval (R-226-18)</b>	<b>2019 Approvals (R-151-19, R-152-19, R-153-19)</b>	<b>Total Contracts Amount to Date (including contingencies)</b>
WSP USA Inc. (formerly Parsons Brinckerhoff, Inc.)	\$11,000,000	1-year Extension of Time	\$10,780,000 (contract increase amount)	\$21,780,000
Parsons Transportation Group, Inc.	\$11,000,000	1-year Extension of Time	\$9,130,000 (contract increase amount)	\$20,130,000
AECOM Technical Services	\$11,000,000	1-year Extension of Time	\$7,590,000 (contract increase amount)	\$18,590,000
<b>TOTAL</b>				<b>\$60,500,000</b>

The requestor Department also submitted a status update on four of the six SMART Plan corridors, as well as the BRT Network component. Below is a brief synopsis of each one.

- ❖ **East-West Corridor** – 11 miles (FIU-Miami Intermodal Center, MIA)
  - The project team will coordinate with the Federal Transit Administration (FTA) after the selection of the Locally Preferred Alternative (LPA). The final National Environmental Policy Act (NEPA) document should be completed in early 2020.
- ❖ **South Corridor** – 20 miles (Florida City-Dadeland South Metrorail Station)
  - The project team submitted a Small Starts Package to the FTA, requesting \$100 million FTA Capital Investment Grant Program funding in August 2019, and is expecting a grant agreement with FTA in April 2020.
- ❖ **Beach Corridor** – 11.5 miles (Miami Design District-Downtown Miami-MacArthur Causeway-Miami Beach Convention Center)
  - The County issued an RFP for a Rapid Mass Transit Solution for the Beach Corridor Trunk Line in September 2019 and is expected to receive proposals in March 2020. DTPW initiated the environmental, geotechnical and utility explorations to provide data to potential proposers.
- ❖ **North Corridor** – 10 miles (MLK Metrorail Station-NW 215<sup>th</sup> Street along NW 27 27<sup>th</sup> Avenue)
  - The BCC directed County staff to issue an RFP to design, build, operate and maintain an elevated fixed guideway transit system for the North Corridor.
- ❖ **Bus Rapid Transit (BERT) Network** (Routes: Flagler Corridor, South Miami-Dade Express, NW Miami-Dade Express, SW Miami-Dade Express, Florida's Turnpike Express North, Florida's Turnpike Express South, Beach Express North, Beach Express Central and Beach Express South)
  - Three public meetings are scheduled for 2020; The BERT study is slated to be completed by the end of 2020.

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OCA conducted due diligence on January 10 and 13, 2020 pertaining all three firms: WSP USA, Inc.; Parsons Transportation Group, Inc.; and AECOM Technical Services, Inc. Below are the findings.

Awarded Firms	Corporate Registration	Tax Collectors Office	Florida DBPR	Westlaw
WSP USA, Inc.	<p>Foreign Profit Corporation</p> <p>Active</p> <p>Principal Address: One Penn Plaza New York, NY</p> <p>Filed: March 5, 1973</p>	<p>Business Address: 7250 NW 19 St. #300 Miami, FL</p> <p>Status: \$1,087.50 due for 2020</p>	<p>Active</p> <p>Licensed for: Architect Business; Geology Business, Registry</p>	<p><i>Anita Leilaind v. WSP USA, Inc., et al</i>; Case No. 2:19-CV-07692, filed September 9, 2019 in U.S. District Court, Central District of California (Los Angeles). Allegation: Defendant discriminated the Plaintiff based on disability by failing to prevent discrimination, provide reasonable accomodation and retaliation in termination of plaintiff under the discrimination and other violations. Status: As of November 6, 2019, a judge ordered case to court mediation panel and a joint report regarding the settlement is due by August 21, 2020.</p> <p><i>Anita Leilaind v. WSP USA, Inc.</i>; Case No. 19STCV20012, filed June 7, 2019 in Los Angeles County, Superior Court. Allegation: Defendants discriminaed against Plaintiff on the basis of short term health disability, failing to provide reasonable accomodations and terminated his employment on retaliation in violation of government code and</p>



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				FEHA. Status: Pending court action.
Parsons Transportation Group, Inc.	Foreign Profit Corporation  Active  Principal Address: 100 M Street SE #1200 Washington, DC  Filed: September 11, 1974	Business Address: 7600 NW 19 St. #104 Miami, FL  Status: Paid and Current	Active  Licensed for: Certified General Contractor; Construction Financial Officer; Construction Business Information; Architect Business; Registry	No cases found
AECOM Technical Services, Inc.	Foreign Profit Corporation  Active  Principal Address: 300 S. Grand Ave. 9 <sup>th</sup> Floor Los Angeles, CA  Filed: August 21, 1995	Business Address: 800 Douglas Rd. #200 Coral Gables, FL  Status: Paid and Current	Active  Licensed for: Geology Business; Real Estate Corporation; Certified General Contractor; Landscape Architect Business; Architect Business; Certified Building Contractor; Construction Financial Officer; Construction Business Information; Registry	<i>Marie Hogan v. AECOM Technical Services, Inc.</i> ; Case No. 19STCV40072 filed November 7, 2019 in Los Angeles County Superior Court. Allegation: Class action complaint – Defendants failed to pay minimum overtime wages for all hours worked, to provide accurate wage statements, to provide meal and rest periods to plaintiff and other class members and engaged in unfair business practices in violation of Labor Code. Status: Pending court action via an upcoming initial status conference on January 17, 2020.

**ADDITIONAL INFORMATION**

A complete SMART Plan summary may be accessed via the Miami-Dade Transportation Planning Organization (TPO). <http://www.miamidadetpo.org/smartplan.asp>

OCA performed Internet searches regarding WSP USA, Inc., Parsons Transportation Group, Inc., and AECOM Technical Services, Inc. on January 13, 2020. Below is an overview of some of the projects the awarded firms have completed.

- WSP USA, Inc. – One World Trade Center, New York; Presidio Parkway, San Francisco, CA; Pearl Harbor Memorial Bridge, New Haven, CT <https://www.wsp.com/en-US>

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- Parsons Transportation Group, Inc. – I-80 SMART Corridor, San Francisco, CA; Houston METRO Light Rail Expansion, Houston, TX; Washington Metro, Washington, DC <https://www.parsons.com/>
- AECOM Technical Services, Inc. – 3 Miami Central Miami, FL; 2016 Rio Olympic and Paralympic Games; Adolfo Suarez Madrid-Barajas Airport, Madrid, Spain. <https://www.aecom.com/>

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.3 of the County Code**, provides guidelines for whenever a competitive process is utilized for selection of a contractor, vendor, consultant, tenant or concessionaire, the County Manager 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 ten (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 Manager that clearly identifies any and all delegations of Board authority contained in the body of the proposed contract. Those contracts covered by Section 2-8.2.7 for which no timely protest is filed, the County Manager's recommendation may be awarded by the County Manager in accordance with his recommendation. The Commission, by two-thirds (2/3) vote of the members present, may waive the requirements of this section. The foregoing notwithstanding, the requirements of this section shall not apply to contracts or purchases which the County Manager has the delegated authority to award under Section 2-8.1(b) of this Code.

[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)

**Resolution No. 151-19**, adopted February 5, 2019, authorized supplemental agreement No. 1 to a professional services agreement between Parsons Transportation Group Inc. and the County for engineering services for DTPW's Capital Improvement Plan, increasing the amount by \$9,130,000 and authorizing the use of charter County transportation surtax funds for such purposes and authorizing the continuation of spending authorities for work orders related to the SMART Plan beyond March 7, 2019 for one additional year.

<http://intra/gia/matter.asp?matter=190041&file=true&yearFolder=Y2019>

**Resolution No. 152-19**, adopted February 5, 2019, authorized supplemental agreement No. 1 to a professional services agreement between AECOM Technical Services Inc. and the County for engineering services for DTPW's Capital Improvement Plan, increasing the amount by \$7,590,000 and authorizing the use of charter County transportation surtax funds for such purposes and authorizing the continuation of spending authorities for work orders related to the SMART Plan beyond March 7, 2019 for one additional year.

<http://intra/gia/matter.asp?matter=190039&file=true&yearFolder=Y2019>

**Resolution No. 153-19**, adopted February 5, 2019, authorized supplemental agreement No. 1 to a professional services agreement between WSP USA Inc. and the County for engineering services for DTPW's Capital Improvement Plan, increasing the amount by \$10,780,000 and authorizing the use of charter County transportation surtax funds for such purposes and authorizing the continuation of spending authorities for work orders related to the SMART Plan beyond March 7, 2019 for one additional year.

<http://intra/gia/matter.asp?matter=190040&file=true&yearFolder=Y2019>

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**Resolution No. R-828-19**, adopted July 23, 2019, established a policy of Miami-Dade County for disclosure of past and present discrimination lawsuits in solicitation submissions.

<http://www.miamidade.gov/govaction/matter.asp?matter=190936&file=true&fileAnalysis=false&yearFolder=Y2019>

**Resolution No. 226-18**, adopted March 6, 2018, approved continuation of spending authorities beyond March 7, 2018 for an additional year for work orders related to the Strategic Miami Area Rapid Transit Plan (SMART) Plan through three existing professional services contracts for DTPW.

<http://intra/gia/matter.asp?matter=180242&file=true&yearFolder=Y2018>

**Resolution No. 256-17**, adopted March 7, 2017, approved award of a professional services agreement with Parsons Brinckerhoff, Inc. to provide professional engineering services for DTPW's Capital Improvement Plan in an amount not to exceed \$11,000,000 inclusive of contingency allowance account and authorizing the use of charter County transportation surtax funds for such purposes.

<http://intra/gia/matter.asp?matter=170692&file=false&yearFolder=Y2017>

**Resolution No. 257-17**, adopted March 7, 2017, approved award of professional services agreement with Parsons Transportation Group, Inc. to provide professional engineering services for DTPW's Capital Improvement Plan in an amount not to exceed \$11,000,000 inclusive of contingency allowance account and authorizing the use of charter County transportation surtax funds for such purposes.

<http://intra/gia/matter.asp?matter=170491&file=true&yearFolder=Y2017>

**Resolution No. 258-17**, adopted March 7, 2017, approved award of professional services agreement with AECOM Technical Services, Inc. to provide professional engineering services for DTPW's Capital Improvement Plan in an amount not to exceed \$11,000,000 inclusive of contingency allowance account authorizing the use of charter County transportation surtax funds for such purposes.

<http://intra/gia/matter.asp?matter=170489&file=true&yearFolder=Y2017>

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**Item No. 8N22  
File No. 193055**

**Researcher: JFP Reviewer: TD**

RESOLUTION APPROVING AN OFF-SYSTEM CONSTRUCTION AND MAINTENANCE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF IMPROVEMENTS ON SW 211 STREET AT SR 989/SW 112 AVENUE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve an Off-System Construction and Maintenance Agreement between the County and the Florida Department of Transportation (FDOT) to allow FDOT to construct and complete improvements on SW 211 Street at SR 989/SW 112 Avenue.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Transportation and Public Works**

This item was forwarded to the BCC with a favorable recommendation by the Infrastructure and Capital Improvements Committee at its January 13, 2020 meeting.

**ANALYSIS**

The purpose of this item is to facilitate FDOT's construction of improvements on SW 211th Street at SR 989/Allapattah Road/SW 112th Avenue, within the County's right-of-way, via an Off-System Construction and Maintenance Agreement—required due to the road not being on the State Highway System. The construction of this project, which is located in Districts 8 and 9, will be at no cost to the County, as the estimated cost of \$250,000 for the improvements in the defined County area will be funded by FDOT. The County is, however, responsible for providing maintenance operations within the County's right-of-way upon project completion. FDOT's construction cost for the overall project is \$1.2 million, the scope of which includes the following:

- Milling and resurfacing of SR 989;
- Widening SR 989 to provide a northbound dual left turn lane and extend northbound right turn lane;
- Milling and resurfacing of SW 211th Street for approximately 300 feet east and west of the SR 989 intersection;
- Minor widening at SW 211th Street median to extend the westbound left turn lane;
- Signalization improvement at the intersection of SR 989 and SW 211th Street;
- Modifications of drainage to address new conditions on SR 989; and
- Upgrading and adding new signing and pavement markings, and traffic signage.

FDOT will complete all aspects of the project, including the design, construction, construction inspection, utilities, and securing of permits and easements.

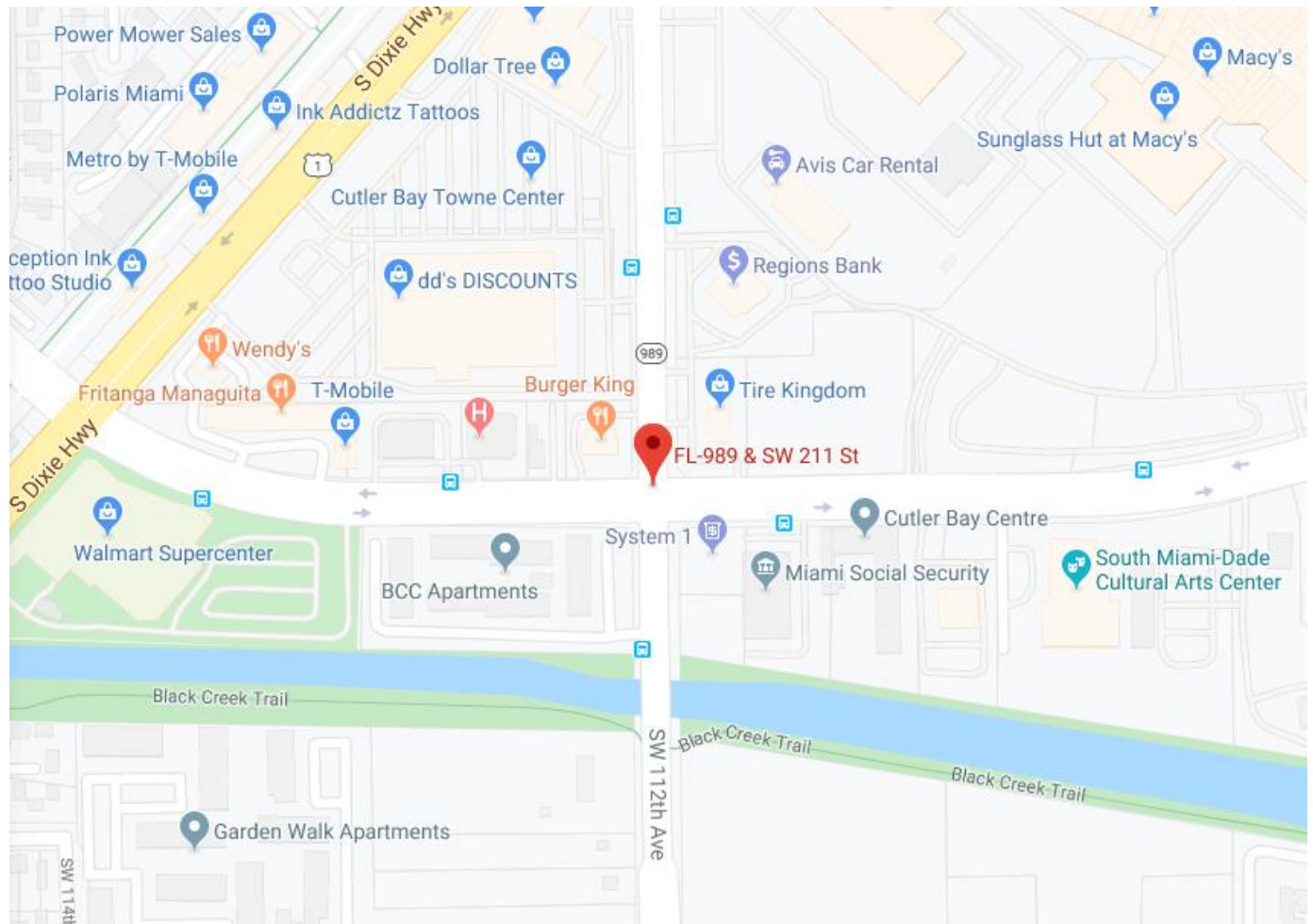
Construction will necessitate temporary workday lane closures during non-peak hours in order to minimize the effect on traffic. Access and egress to and from adjacent neighborhoods and businesses as well as pedestrian traffic will not be interrupted. According to FDOT's Project Fact Sheet, work is expected to begin July 2021, with completion expected March 2022. A public meeting regarding the project was held on September 12, 2018 at the South Dade Regional Library.

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**Researcher: JFP Reviewer: TD**

The location of the project is illustrated in the image below.



**ADDITIONAL INFORMATION**

Florida Department of Transportation

<http://www.fdotmiamidade.com/design-projects/south-miami-dade/sr-989allapattah-rd-at-sw-211-st-1.html>

FDOT Project Fact Sheet - State Road (SR) 989/Allapattah Road at SW 211 Street

[file:///s0143234/BCCVDI/OCA/JFPROENZA/Downloads/439916 Allapattah RD at SW 211 Street Design FS EN1%20\(3\).pdf](file:///s0143234/BCCVDI/OCA/JFPROENZA/Downloads/439916%20Allapattah%20RD%20at%20SW%20211%20Street%20Design%20FS%20EN1%20(3).pdf)

**BCC Meeting:  
February 4, 2020  
Research Notes**

**Item No. 802  
File No. 200075**

**Researcher: IL Reviewer: TD**

RESOLUTION RATIFYING ACTION BY COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE RELATED TO MIAMI-DADE WATER AND SEWER DEPARTMENT'S CONSENT DECREE AND CAPITAL IMPROVEMENT PROGRAMS ACCELERATION ORDINANCE PURSUANT TO SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA SPECIFICALLY THE AWARD OF A CONSTRUCTION CONTRACT FOR CD 5.9 UPGRADE AND REPLACEMENT OF REGIONAL PUMP STATION 0301, CONTRACT NO. S-940, TO LANZO CONSTRUCTION CO., FLORIDA IN AN AMOUNT NOT TO EXCEED \$9,051,628.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should ratify the award of a construction contract for Consent Decree Project No. 5.9 Upgrade and Replacement of Regional Pump Station 0301, Contract No. S-940 to Lanzo Construction Co. in the amount of \$9,051,628.00.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Water and Sewer Department (WASD)**

There is no procedural history on this item

**ANALYSIS**

The purpose of this item is to attain the Board's ratification for a construction contract award for Consent Decree Project No. 5.9 Upgrade and Replacement of Regional Pump Station 0301, Contract No. S-940 to Lanzo Construction Co., Florida, in the amount of \$9,051,628.00 for a term of 935 days.

On September 3, 2014, the Board approved Ordinance No. 14-77 authorizing the County Mayor to award contracts for funded projects and related goods and services, to reject bids and proposals received in connection with any competitive procurement, and to accelerate the approval of WASD's (1) Consent Decree projects and (2) projects identified in WASD Multi-Year Capital Plan's Capital Improvements Program without the need for prior Board approval, but subject to ratification by the Board.

The Miami-Dade Water and Sewer Department Consent Decree Work consists of all projects needed to comply with the Consent Decree approved on April 9, 2014, by the United States District Court for the Southern District of Florida. The Miami-Dade Water and Sewer Department Capital Improvement Program consist of only those projects approved by the Board as part of the Multi-Year Capital Plan. The Compliance date for Consent Decree project 2.11 is May 9, 2020.

The Fiscal Impact to the County for the implementation of this contract will be of 9,051,628.00 and impacts Commission District 4, represented by Commissioner Sally A. Heyman.

This project is one in a series of projects processed under Section 2-8.2.12 of the Code, which governs the Miami-Dade County Water and Sewer Department Consent Decree and Capital Improvement Programs Acceleration Ordinance. Scope of services includes, furnishing all materials, all labor, and all equipment necessary to replace Regional Pump Station 0301 with a new pump station. The project consists of demotion of the existing pump station and variable frequency driven motors, piping, and equipment in the wet well; valves, piping and fitting (including stainless steel plug and check valves); a flow meter and flow control; manholes; and odor control system; construction of an electrical and generator building; a generator set and an above ground fuel tank, hoist and trolley systems, including monorail support system; wooden perimeter fence and access gate; and all required by-pass pumping.



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Research Notes**

**Item No. 802  
File No. 200075**

**Researcher: IL Reviewer: TD**

On May 21, 2013, the Board of County Commissioners authorized the execution of a Consent Decree between Miami-Dade County, the United States of America, the State of Florida and the Florida Department of Environmental Protection, for improvements to the County's wastewater collection and treatment system. WASD determined that the Central District Waste Water Treatment Plant (CDWWTP) requires replacement and/or upgrade of pump motors and their associated drives and electrical power and control systems. Improvements to the facilities are required pursuant to the Consent decree from the U.S. Environmental Protection Agency (U.S. EPA), Department of Justice (DOJ) and the Florida Department of Environmental Protection (FDEP), Case No 1:12-cv-24400-FAM.

On July 12, 2019, in response to WASD's competitive solicitation for Project No. S-940, the department received nine bids. The respondents were 1) Lanzo Construction Co., Florida, 2) Kiewit Infrastructure South, Co., 3) David Mancini & Sons, Inc., 4) Daniel O' Connell's Sons, Inc., 5.) Comtech Engineering, Inc., 6.) BLDM USA, LLC., 7.) Maestre Construction, Inc., 8.) Intercounty Engineering, Inc. and 9.) Ric-Man International. Ric-Man International's bid was considered non-responsive and was not included in the tabulation. Lanzo Construction Co, Florida, submitted the lowest bid. (See below)

Below are the Bid submittals received on July 12, 2019, for this procurement.

Firm	Base Bid
Lanzo Construction Co., Florida	\$ 7,762,503
David Mancini & Sons, Inc.	\$ 9,525,642
Comtech Engineering, Inc.	\$10,055,433
Daniel O' Connell's Sons	\$10,130,000
BLDM USA, LLC	\$10,838,031
Maestre Construction, Inc.	\$11,987,120
Intercounty Engineering, Inc.	\$11,551,646
Kiewit Infrastructure South	\$12,472,000

On July 26, 2019, a Bid Review meeting was conducted with Lanzo Construction Co., Florida, to evaluate elements of their bid because their bid was approximately 12.9% lower than the Engineer of Record's estimate. HDR Engineering, Inc, the County's Engineer of record, confirmed that Lanzo Construction Co., Florida, met the required minimum experience and recommended Lanzo Construction Co., Florida, for contract Award. Additionally, the Small Business Development Division of the Internal Services Department found Lanzo Construction Co., Florida, to comply with contract measures. Since Lanzo Construction Co., provided the lowest bid, WASD recommended Lanzo Construction Co., Florida as the awarded the firm. See a summary of the bid proposals below.



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**Researcher: IL Reviewer: TD**

OCA conducted analyzed the selected firm on January 29, 2020, see results below:

Firm Name	Sunbiz	DBPR	Tax Collector	Westlaw
Lanzo Construction Co., Florida	Florida Profit Corporation  Principal Address: 125 S.E. 5 <sup>th</sup> Court, Deerfield Beach, FL 33441  Filed on. November 23, 2015	Main Address: 125 S.E. 5 Court, Deerfield Beach, Florida 33441  No Complaints filed.	Business Address: 2600 S.W. 3 <sup>rd</sup> Avenue Suite 301, Miami, FL 33129  Paid/Current	1. Jacob Schlesinger v. Lanzo Companies filed in the 17 <sup>th</sup> Judicial Circuit, Broward County on 01/16/2020. Allegation: Defendant breached the contract by failing to pay plaintiff his full salary and wrongfully terminated from the course of employment in violation of civil rights. Status: Pending

Lanzo Construction Co., list of sub-consultants as well as the firms that will satisfy the SBE measures:

Sub	Sunbiz	DBPR	Tax Collector	Westlaw	SBE Construction 14.72%	SBE Goods and Services 5.25%
H&R Construction Group, Inc.	Florida Profit Corporation  Principal Address: 12945 S.W. 132 Street, #4, Miami, FL 33186  Date Filed: April 11, 2012	Not Found	Business Address: 12945 S.W. 132 Street, #4, Miami, FL 33186  Paid/Current	No Relevant Cases	8.50%	N/A
South Florida Electrical Consultant, Inc.	Florida Profit Corporation  Principal Address: 4234 S.W. 75 Avenue, Miami, FL 33155  Date Filed: November 1, 1999	Main Address: 4234 S.W. 75 Avenue, Miami, FL 33155  No Complaints	Business Address: 4234 S.W. 75 Avenue  Paid/Current	No Relevant Cases	7.34%	N/A
Corcel Corp.,	Florida Profit Corporation  Principal Address: 2461 N.W. 23	Not Found	Business Address: 2461 N.W. 23 Street Miami, FL 33139	No Relevant Cases	N/A	5.25%

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	Street, Miami, FL 33142		Paid/ Current			
	Date Filed: August 09, 2013					

OCA conducted a review of the following commodity codes: 15010 (Construction Materials), 65800 (Pipe, Tubing and Accessories), 237110 (water and Sewer Line and Related Structures Construction), 236220 ( Commercial and Institutional Building Construction), 238210 (Electrical Contractors and Other Wiring Installation Contractors) 237990 ( Other Heavy and Civil Engineering Construction), 238320 (Painting and Wall Covering Contractors), 238220 (Plumbing, Heating, and Air-Conditioning Contractors.), 238120 (Structural Steel and Precast Concrete), and 238160 (Roofing Contractors) in the Business Management Workforce System on January 29, 2020. Approximately 745 SBE Firms were identified under the various commodity codes previously mentioned.

OCA conducted a review of the Capital Improvement Information System on January 29, 2020, Pursuant to Resolution No. R-421-16 and found that Lanzo Construction Co., Florida, had 30 evaluations on the system with average evaluation rating of 3.5 out of 4.0. According to the firm history report from September 01, 2016 through September 01, 2019, provided by SBD, Lanzo Construction Co., Florida has been awarded its four contracts with Miami-Dade County with a total amount of \$24,867,876 in.

**ADDITIONAL INFORMATION**

Consent Decree entered into between the 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>

Pump station 301 was the subject of a sewage spill in April 2019, below is an illustration of the stations equipment clogged with flushed rags and other debris.



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**DEPARTMENTAL INPUT**

OCA contacted WASD on January 29, 2020 and asked the following questions below.

1. Does WASD have a list of potential pump stations that may have exceeded their useful life and are potentially liable for a sewage spill? If so, can WASD provide that list?  
**WASD proactively conducts and prioritizes its maintenance program through continual monitoring of system performance through various means, including a robust Supervisory Control and Data Acquisition (SCADA) that contains more than 96,000 signals. Additionally, to manage such a complex system, WASD has undertaken a multifaceted, proactive approach for the maintenance, rehabilitation, replacement, and upgrades to the system's assets.**
  - **Mortality (useful life).**
    - **Useful life for a pump station is typically estimated at 25 years but this can be influenced/effectuated by numerous factors.**
    - **Maintenance and/or upgrades may be implemented earlier or later depending on particular conditions and circumstance.**
    - **The Department monitors condition to ensure equipment is operable, regardless of age.**
  - **Capacity (NAPOT, SCADA, Hydraulic Modeling)**
  - **Efficiency (energy, operating costs, obsolescence, etc.)**
  - **Level of service (reliability, resilience, and regulatory)**
  - **Consequence assessment (triple bottom line evaluation)**
2. During the Sewage spill of April 2019, rags were found inside the pumps, does WASD have any system that captures and/or filters out this type of debris?  
**We are using several technologies to address the issue of rags at the pump stations. One of them is the de-ragger, which operated the pumps impellers in such a way (slowing it down, reversing rotation, etc.) that it prevents the rags from getting tangled on it causing the pumps' failure, we also have the no clog pumps that basically eliminated the impeller reducing significantly any possibility of clogging of the pump and we are evaluating grinder pumps that shred the rags as they move through the impeller and the use of screens at certain pump stations.**  
**The spill occurred in early February 2019.**
3. The Scope of Services for this project references "hoist and trolley systems, including monorail support system;" can WASD elaborate as to what these components are for?  
**These are overhead systems to assist in the maintenance, installation, and removal of pumps and equipment.**
4. How will the homes served by pump station 301 sustain service while the replacement is conducted? Does WASD foresee this replacement resulting in prolonged interruption of sewer service to customers in this area?  
**We do not foresee any interruption of sewer service to customers in the area since existing pump station 301 will remain in service during construction of the new pump station.**

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**APPLICABLE LEGISLATION/POLICY**

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

**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 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](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.

**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](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](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE)

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**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 the 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>

**Implementation Order (I.O.) 8-8 (Sustainable Buildings Program)**, adopted on December 4, 2007, authorizing approval of Implementing Order 8-8: establishing guidelines to further the County's sustainable buildings program initiative, and authorizing the County Mayor or his designee to exercise any and all other rights conferred therein.  
<http://www.miamidade.gov/govaction/matter.asp?matter=080263&file=true&fileAnalysis=false&yearFolder=Y2008>

**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.) 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>

**Implementing Order (I.O.) 3-22, (Small Business Enterprise Construction Services Program)**: Except where Federal or State laws or regulations mandate to the contrary, this Implementing Order governs construction services (including design-build, alteration, installation, painting, maintaining or repairing a public improvement), funded in whole or in part by County funds for all Miami-Dade County departments and agencies.  
<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO03-22.pdf>

**Implementing Order (I.O.) 3-32 (Small Business Enterprise Architecture and Engineering Program)** Except where federal or state laws or regulations mandate to the contrary, this Implementing Order applies to all project specific awards, and multiple project contracts as mandated in 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>

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**Resolution No. R-281-14**, adopted March 18, 2014, approving 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-421-16**, adopted May 17, 2016, requires attachment of all items recommending Design and/or Construction Contract Awards of \$1,000,000/00 or greater a list of all County Contracts awarded in the previous three years to the recommended contractor and a summary of County Evaluations of the recommended contractors work.

<http://intra/gia/matter.asp?matter=160124&file=true&yearFolder=Y2016>

**Resolution No. R-1181-18**, adopted November 8, 2018, directs the County Mayor to: (1) consider safety records of prospective contractors and first-tier subcontractors for public construction projects; and (2) confirm that the safety records of recommended contractors and first-tier subcontractors were considered and report any instances where the safety record may adversely affect a finding of contractor responsibility in award memorandum to the Board.

<http://intra/gia/matter.asp?matter=182536&file=true&yearFolder=Y2018>

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**Item No. 11A9  
File No. 193031**

**Researcher: CB    Reviewer: TD**

RESOLUTION APPOINTING YVONNE WHITE EDWARDS TO THE BOARD OF COMMISSIONERS FOR N.W. 7<sup>TH</sup> AVENUE CORRIDORS COMMUNITY REDEVELOPMENT AGENCY IN ACCORDANCE WITH SECTION 163.356 FLORIDA STATUTES, AND ORDINANCE NO.06-18

**ISSUE/REQUESTED ACTION**

N/A

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Jean Monestime, District 2.**

**Department/Requester: N/A**

**ANALYSIS**

OCA completed the required background research on “Yvonne White Edwards” noting no adverse findings.

**APPLICABLE LEGISLATION**

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