



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

**Transportation and Finance (TAF) Committee Meeting**

February 12, 2020  
2:00 P.M.  
Commission Chambers

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

THIS PAGE INTENTIONALLY LEFT BLANK

**TAF Meeting: February 12, 2020  
Research Notes**

**Item No. 3A  
File No. 200121**

**Researcher: VW Reviewer: PGE**

RESOLUTION AUTHORIZING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$915,992.00 FOR CONTRACT NO. FB 00461 FOR PURCHASE OF AQUATIC WEED HARVESTER BOATS FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWAL AND EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize a designated purchase by a two-thirds vote of the members present to procure four replacement aquatic weed harvester boats in an amount of \$915,992 under *Contract No. FB-00461* for the Department of Transportation and Public Works (DTPW).

**PROCEDURAL HISTORY**

**Prime Sponsor: N/A**

**Department/Requester: Internal Services**

This item has no procedural history.

**ANALYSIS**

The purpose of this item is for DPTW to receive increased spending authority totaling \$915,992 under *Contract No. FB-00461, Aquatic Weed Harvester Boats*, to replace four of the 16 aquatic harvest boats that the County utilizes to remove submerged aquatic weeds and other items illegally dumped in the Secondary Canal Drainage System and County waterways. Per the mayoral memorandum, the item is presented as a designated purchase because the requested increased spending exceeds the County Mayor's delegated authority. The awarded vendor, Aquarius Systems, is a manufacturer of surface water management equipment. Note that the requested amount of \$915,992 doubles the amount originally allocated in the present contract, considerably expanding the contract's scope.

The contract was approved on February 24, 2017 under the Mayor's delegated authority in the amount of \$915,992 for a three-year period (i.e., March 15, 2017 through March 31, 2020) to purchase four aquatic weed harvester boats to replace boats that reached their useful life expectancy. This item is silent as to whether DTPW intends to establish a long-term replacement contract following the March 31, 2020 expiration date. The contract was competitively-solicited, with two bids received in response to the solicitation. The vendor ultimately chosen, D & D Products, Inc. d/b/a Aquarius Systems, offered the lowest price for the required boats. The solicitation required the awardee to be an industrial aquatic weed harvester manufacturer or an authorized dealer.

The four new aquatic weed harvester boats will replace boats that have reached or exceeded their useful life expectancy. The current price per boat will remain the same as the original 2017 contract price per boat: \$228,998. As of February 11, 2020, the contract's Blanket Purchase Order shows that the entire allocation of \$915,992 has already been released, leaving a zero balance with the contract set to expire in less than two months on March 31, 2020. The contract's cumulative allocation inclusive of the requested modification would be \$1,831,984.

**TAF Meeting: February 12, 2020  
Research Notes**

**Item No. 3A  
File No. 200121**

**Researcher: VW Reviewer: PGE**

The table below shows OCA's due diligence review of the awarded vendor, D & D Products, Inc.

<b>Awarded Firm(s)</b>	<b>Corporate Registration</b>	<b>Tax Collectors Office</b>	<b>Florida DBPR</b>	<b>Westlaw</b>
D & D Products, Inc.	Foreign Profit Corporation  Active  Principal Address: 200 N Harrison St North Prairie, WI 53153  Filed: April 16, 2019	Nothing Found	Nothing Found	Nothing Found

A February 11, 2020 Business Management Workforce System search for the solicitation's Commodity Codes 12008 (Airboats and Inflatable Boats) and 12021 (Boats, 21 Feet and Under) did not yield any certified local small business enterprises.

**ADDITIONAL INFORMATION**

According to the company website, Aquarius Systems is the oldest and most experienced manufacturers of surface water management equipment in the world and the only major manufacturer to offer equipment built in the United States. Aquarius Systems is one of the premier aquatic weed harvester manufacturers nationwide. Like an underwater lawn mower, an aquatic weed harvester cuts the vegetation, collecting and storing the weeds on board. Aquatic weed harvesters are fitted with a pickup conveyor at the forward end of the machine, which can be lowered up to six feet deep to cut weeds. One horizontal and two vertical cutter bars sever the vegetation as the machine moves forward through the water, and, when the storage hold becomes full, the weed harvester returns to shore to unload.

<http://www.aquarius-systems.com/Pages/4/About.aspx>

Below is a picture of a 420 Aquatic Plant Harvester model from the company website:

**TAF Meeting: February 12, 2020**  
**Research Notes**

**Item No. 3A**  
**File No. 200121**

**Researcher: VW Reviewer: PGE**



**APPLICABLE LEGISLATION/POLICY**

**Section 5.03(D) of the Home Rule Charter** states that contracts for public improvements and purchases of supplies, materials, and services other than professional shall be made whenever practicable on the basis of specifications and competitive bids. The Board, upon written recommendation of the Mayor, may by resolution adopted by two-thirds vote of the members present waive competitive bidding when it finds this to be in the best interest of the county.

<http://www.miamidade.gov/charter/library/charter.pdf>

**Implementing Order 3-38** sets forth the County's policy and procedures for the procurement of goods and services. The I.O. references the obligations and responsibilities of the Internal Services Department; the authority to award; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources. Of relevance for this item, IO 3-38 states that modifications to contracts under \$1,000,000 that were competitively awarded that increase the contract amount from below \$1,000,000 to over \$1,000,000 shall be approved by the Board of County Commissioners.

Any contract modification that increases the contract amount from below \$1,000,000 to over \$1,000,000 shall be approved by the Board of County Commissioners.

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

**Section 2-8.1(b)(3) of the County Code** sets forth procedures for purchases when competitive procedures are not practicable. This provision defines a designated purchase as a purchase when the purchase through the use of formal sealed bids is not practicable, including, but not limited to: (1) sole source purchases; (2) services where no competition exists such as public utility services; (3) where purchases or rates are fixed by law or ordinance; (4) unique professional or artistic services not governed by the Consultants' Competitive Negotiations Act; (5) purchase of goods and services necessary to address an emergency or where additional formal competition would not be practicable; and (6) solicitations where only a single proposer has responded to a competitive solicitation but such response contains material defects and the County still desires to enter into a contract with such proposer.

**TAF Meeting: February 12, 2020  
Research Notes**

**Item No. 3A  
File No. 200121**

**Researcher: VW Reviewer: PGE**

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

[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-477-18**, adopted May 1, 2018, directed the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

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

**Resolution No. R-391-17**, adopted April 4, 2017, directs the County Mayor to conduct competitive selections whenever feasible instead of expanding the term or services under existing contracts.

<http://www.miamidade.gov/govaction/matter.asp?matter=170534&file=true&fileAnalysis=false&yearFolder=Y2017>

**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>

**TAF Committee Meeting:  
February 12, 2020  
Research Notes**

**Item No. 3B  
File No. 200024**

**Researcher: EA Reviewer: YM**

ORDINANCE APPROVING, ADOPTING AND RATIFYING FISCAL YEAR 2018-19 END-OF-YEAR SUPPLEMENTAL BUDGET ADJUSTMENTS AND AMENDMENTS FOR VARIOUS COUNTY DEPARTMENTS AND FUNDS; AMENDING ORDINANCE NOS. 18-97, 18-99, AND 18-102 TO MAKE BUDGET ADJUSTMENTS; AMENDING SECTION 11-2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; ASSESSING AN ADDITIONAL COURT COST FOR VIOLATIONS OF STATE PENAL OR CRIMINAL STATUTES OR CERTAIN MUNICIPAL AND COUNTY ORDINANCES; REVISING THE USES FOR SUCH COSTS TO INCLUDE FUNDING FOR CRIMINAL JUSTICE TRAINING AND EDUCATION; RATIFYING AND APPROVING IMPLEMENTING ORDERS AND OTHER BOARD ACTIONS WHICH SET FEES, CHARGES AND ASSESSMENTS FOR FY 2018-19; APPROPRIATING GRANT, DONATION AND CONTRIBUTION FUNDS FOR FY 2018-19; PROVIDING SEVERABILITY, INCLUSION IN AND EXCLUSION FROM THE COUNTY CODE, AND AN EFFECTIVE DATE

**ISSUE/REQUESTED ACTION**

END-OF-YEAR SUPPLEMENTAL BUDGET ADJUSTMENTS (Commission Auditor)

**PROCEDURAL HISTORY**

**Prime Sponsor:** N/A

**Department/Requester:** Office of Management and Budget

This item was adopted on first reading at the January 22, 2020 Board meeting.

**ANALYSIS**

OCA is reviewing the following and will provide the results of the analysis ahead of the BCC meeting:

- Impact on the County Wide available revenue carryover for the Board to appropriate based on the requested supplemental
- Confirmation of the budgeted and actual balance of the listed funds

Based on the Memorandum released by OMB, the total value of all operating adjustments is \$103.418 million. Below is a summary of the transactions for the operating adjustments:

<b>END OF YEAR SUPPLEMENTAL (OPERATING ADJUSTMENTS)</b>			
<b>Area</b>	<b>Adjusted Amount</b>	<b>Funded By</b>	<b>Memo Explanation</b>
Administrative Office of the Courts	\$1,489,000	Grant Revenues	For the Veteran's Treatment Court, Adult Drug Court, Family Dependency Court, Criminal Mental Health, Domestic Violence Mentor Court, Domestic Violence Court and Civil Division
Animal Services Department	\$239,000	Grant Revenues	Pet related expenditures (i.e. medical and pet supplies, pet retention initiatives and spay and neuter surgeries)
Board of County Commissioners	\$3,375,000	Countywide General Fund and UMSA General Fund	To reflect carryover for FY 2018-19



**TAF Committee Meeting:  
February 12, 2020  
Research Notes**

**Item No. 3B**

**File No. 200024**

**Researcher: EA Reviewer: YM**

Commission on Ethics and Public Trust	\$55,000	Training Revenues	Six-month extension of online ethics training course, increased part time hours for additional ethics lobbyist trainings and construction work related to new office space in Overtown Transit Village
Community Action and Human Services	\$342,000	Trust Fund Contributions	For various support services (i.e. treatment services, holiday baskets and utility assistance)
Community Action and Human Services	\$44,612,000	State and Federal Grant Revenues	Head Start/Early Head Start and various meals programs and other community assistance initiatives (i.e. low-income home energy assistance program)
Convention Development Tax	\$768,000	Tourist Tax Revenues	Fairchild Tropical Botanical Garden to complete County - funded infrastructure improvements (\$500K) and Shortfall Revenue (\$268K)
<b>END OF YEAR SUPPLEMENTAL (OPERATING ADJUSTMENTS)</b>			
<b>Area</b>	<b>Adjusted Amount</b>	<b>Funded By</b>	<b>Memo Explanation</b>
Corrections and Rehabilitation Department	\$1,522,000	Improved Reentry Education Project (IRE) grant (\$238,000) and State Criminal Alien Assistance Program (SCAAP) Funds	For the continued improvement of inmate medical and mental health services
Corrections and Rehabilitation Department	\$197,000	Donations	For the continued improvement of inmate medical and mental health services
Corrections and Rehabilitation Department	\$58,000	Inmate Subsistence Fees	For the continued improvement of inmate medical and mental health services
Countywide General Fund	\$173,000	BCC Carryover Fund	Transfer from Board of County Commissioners Carryover Fund
Cultural Affairs Department	\$127,000	Children's Trust Grant	For youth and programmatic support
Cultural Affairs Department	90,000	National Endowment for the Arts Federal grant (\$70,000) and two Local Artists Agency State Grants (\$20,000)	For payment to local artists and programmatic support
Elections Department	\$1,203,000	Grant Revenues	Security measures at the Elections Department headquarters and elections related cyber security measures
Economic Development	\$455,000	Local Business Tax Receipts	Transfer to Beacon Council
Finance Department	\$154,000	Credit and Collection Revenues	Pay-As-You-Go Capital Improvement Fund and Postage expense as a result of additional collection efforts



**TAF Committee Meeting:  
February 12, 2020  
Research Notes**

**Item No. 3B**

**File No. 200024**

**Researcher: EA Reviewer: YM**

Information Technology Department	\$144,000	Customer Departments/Agencies	Consolidation of countywide information technology (IT) functions and contracts.
Information Technology Department	\$15,000	Traffic Surcharge Revenues	800-Megahertz Radio System Maintenance project
Jackson Health Systems	\$20,056,000	Sales Surtax Revenues	Operating Expenditures
Juvenile Service Department	\$50,000	Grant Revenues	For the operation of the Juvenile Assessment Center
Miami-Dade Fire Rescue	\$2,356,000	Grant Revenues	For Urban Search and Rescue FY 2017/18 activations related to Hurricane Florence
<b>END OF YEAR SUPPLEMENTAL (OPERATING ADJUSTMENTS)</b>			
<b>Area</b>	<b>Adjusted Amount</b>	<b>Funded By</b>	<b>Memo Explanation</b>
Miami-Dade Fire Rescue	\$1,586,000	MDAD Payments	Employee overtime and termination payments at MDAD fire rescue facilities
Miami-Dade Legal Aid	\$243,000	State of Florida for the Victims of Crime Act (\$115,000) and Florida Bar Foundation Grant (\$128,000)	For the Adult Guardianship Program associated with the Put Something Back Program that screens and matches qualifying low-income residents with civil legal problems with pro bono lawyers
Miami-Dade Police Department	\$761,000	Additional Parking Ticket Surcharge Revenues	For the disbursement of parking ticket surcharge revenues to municipalities (\$345,000) and to MDPD (\$416,000)
Miami-Dade Police Department	\$591,000	Grant Revenues from the U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs (DOS/INL) and the FEMA Urban Areas Security Initiative (UASI) Grant Received by MDR	To train police officers from other countries
Miami-Dade Police Department	\$5,960,000	Off-Duty Revenues	Salary and overtime expenditures in off-duty services as a result of the adopted collective bargaining agreement
Miami-Dade Police Department	\$1,148,000	Prior Year Carryover Balances	Transfer additional Law Enforcement Training Traffic Violation Fines funds reimbursing training, equipment and operational expenditures

**TAF Committee Meeting:  
February 12, 2020  
Research Notes**

**Item No. 3B**

**File No. 200024**

**Researcher: EA Reviewer: YM**

Miami-Dade Police Department	\$1,000	Prior Year Carryover - City of Miami Gardens	Operating Expenditures
Miami-Dade Police Department	\$96,000	Town of Miami Lakes Contract Payments	Salary and overtime expenditures as a result of the adopted collective bargaining agreements
Office of Management and Budget	\$405,000	Federal Ryan White HIV/AIDS Treatment Grant Revenue	For the Ryan White HIV/AIDS Treatment program
Parks, Recreation and Open Spaces Department	\$581,000	Coastal Park and Marina Enterprise Revenues	Removal of seaweed
People's Transportation Plan (PTP) Fund	\$9,609,000	PTP Surtax Revenue	Transfers to the PTP Capital Expansion Fund, distributions to municipalities and debt service payments
<b>END OF YEAR SUPPLEMENTAL (OPERATING ADJUSTMENTS)</b>			
<b>Area</b>	<b>Adjusted Amount</b>	<b>Funded By</b>	<b>Memo Explanation</b>
Professional Sports Franchise Facility Tax	\$724,000	Professional Sports Franchise Facility Tax Revenues	Debt Service Reserve
Seaport Department	\$2,241,000	FEMA Grant Reimbursement	Recovery efforts related to Hurricane Irma. It is anticipated that future grant reimbursements from the FEMA will cover these costs. Any expenses disallowed by FEMA will be supported by Seaport operating funds
Tourist Development Tax	\$275,000	Tourist Development Tax	Distribution to Cultural Affairs Council (CAC)
Tourist Development Tax	\$275,000	Tourist Development Tax	Distribution to Debt Service
Tourist Development Tax	\$24,000	Tourist Development Tax	Distribution to General Fund for Administrative Reimbursement
Tourist Development Tax	\$24,000	Tourist Development Tax	Distribution to General Fund for Administrative Reimbursement
Tourist Development Tax	\$10,000	Tourist Tax Revenues	Distribution to General Fund for Administrative Reimbursement
Tourist Development Tax	\$825,000	Tourist Development Tax	Distribution to Greater Miami Convention and Visitors Bureau
Tourist Development Tax	\$417,000	Tourist Tax Revenues	Distribution to Greater Miami Convention and Visitors Bureau
Tourist Development Tax	\$16,000	Tourist Development Tax	Distribution to Tourist Development Council (TDC) for Administrative Support
Tourist Development Tax	\$6,000	Tourist Tax Revenues	Distribution to Tourist Development Council (TDC) for Administrative Support

**TAF Committee Meeting:  
February 12, 2020  
Research Notes**

**Item No. 3B**

**File No. 200024**

**Researcher: EA Reviewer: YM**

Transportation and Public Works Department	\$80,000	Construction Permitting Fees	For engineering services associated with 5G projects
Transportation and Public Works	\$7,000	Grant Revenues	Grant Expenditures
UMSA General Fund	\$57,000	BCC Carryover Fund	Transfer from Board of County Commissioners Carryover Fund
<b>Total</b>	<b>\$103,418,000</b>		

Other adjustments listed on the EOY Memorandum released by OMB are as follows:

<b>END OF YEAR SUPPLEMENTAL (OTHER ADJUSTMENTS)</b>			
<b>Area</b>	<b>Adjusted Amount</b>	<b>Funded By</b>	<b>Memo Explanation</b>
Affordable Housing Trust Fund	\$497,000	Countywide General Fund	Transfer from CW General Fund to Affordable Housing Trust Fund
Corrections and Rehabilitation	\$2,316,000	Countywide General Fund	Additional costs required to comply with the Settlement and Consent Agreements with the United States Department of Justice, specifically related to the continued improvement of inmate medical and mental health services
Elections	\$901,000	Countywide General Fund	Expenses related to the 2018 general election recount and the three additional early voting sites for the 2018 general election approved by the Board
Metro-Dade Police Department	\$9,969,000	Homestead Exemption Mitigation Reserve	Additional overtime expenditures required to provide law enforcement resources at every public school in the Unincorporated Municipal Service Area
Pay-As-You-Go Capital Improvement Fund	\$3,389,000	Homestead Exemption Mitigation Reserve	Shot Spotter Program and building improvements at the Stephen P. Clark Center and various other County facilities related to security and elevators
Transportation and Public Works Department	\$74,405,000	PTP Surtax Revenue	For CNG Bus purchases and interest payments on CNG financing debt
<b>Total</b>	<b>\$91,477,000</b>		

**APPLICABLE LEGISLATION/POLICY**

**Miami Dade County Home Rule Charter Section 1.02(A)** provides that the Board shall adopt its own rules of procedure and shall decide which actions of the Board shall be by ordinance or resolution, except as otherwise provided in this Charter and except that any action of the Board which provides for raising revenue, appropriating funds, or incurring indebtedness (other than refunding indebtedness), or which provides a penalty or establishes a rule or regulation for the violation of which a penalty is imposed shall be by ordinance.

[https://library.municode.com/fl/miami\\_-\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTICOAMCH\\_ART1BOCOCO\\_S1.02REOR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTICOAMCH_ART1BOCOCO_S1.02REOR)

**TAF Committee Meeting:  
February 12, 2020  
Research Notes**

**Item No. 3B**

**File No. 200024**

**Researcher: EA Reviewer: YM**

**Florida Statute Section 129.06-Execution and Amendment of Budget** - provides that:

(1) Upon the final adoption of the budgets as provided in this chapter, the budgets so adopted must regulate expenditures of the county and each special district included within the county budget, and the itemized estimates of expenditures must have the effect of fixed appropriations and may not be amended, altered, or exceeded except as provided in this chapter.

(2) The board at any time within a fiscal year may amend a budget for that year and may within the first 60 days of a fiscal year amend the budget for the prior fiscal year.

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0100-0199/0129/Sections/0129.06.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0129/Sections/0129.06.html)

**Resolution No. 195-05** (Adopted 02/01/2005) - provides the Commission Auditor to review, analyze and make recommendation to the commission regarding all budget amendments proposed by the County Manager.

<http://www.miamidade.gov/govaction/matter.asp?matter=050222&file=true&fileAnalysis=false&yearFolder=Y2005>