



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

**Board of County Commissioners Meeting**

April 7, 2020  
9:30 A.M.  
Virtual Meeting

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

**BCC Meeting: April 7, 2020  
Research Notes**

**Item No. 8F2  
File No. 200547**

**Researcher: JFP   Reviewer: PGE**

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RFQ-01295 FOR THE REDEVELOPMENT OF COUNTY-OWNED PUBLIC HOUSING PROPERTIES UNDER THE RENTAL ASSISTANCE DEMONSTRATION PROGRAM FOR THE PUBLIC HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT FOR AN INITIAL FIVE-YEAR TERM; WAIVING SECTIONS 2-8.3 AND 2-8.4 OF THE COUNTY CODE RELATING TO BID PROTEST PROCEDURES BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING AGREEMENT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38, ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS, AND SOLICIT PROPOSALS, PRICING, AND NEGOTIATE GROUND LEASES, EXECUTE MASTER DEVELOPMENT AGREEMENTS OR ANY OTHER APPLICABLE AGREEMENTS OR CONTRACTS, SUBJECT TO THE BOARD AND THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S APPROVAL

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize establishing *Prequalification Pool RFQ-01295, Redevelopment of Properties Under the Rental Assistance Demonstration Program*, for a five-year initial term with two, five-year options to renew for the Public Housing and Community Development Department, waiving the County's bid protest legislation by a two-thirds vote of the members present to expedite the Work Order Proposal Request process and comply with HUD finance plan timelines.

**PROCEDURAL HISTORY**

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

This item has no procedural history.

**ANALYSIS**

The purpose of this item is to establish a prequalification pool of developers for the redevelopment of County properties under the Rental Assistance Demonstration Program (RAD Program) in furtherance of the Public Housing and Community Development (PHCD) Department's initiative to rehabilitate and preserve its public housing units, which serve nearly 18,000 of the County's lowest-income residents. The RAD Program allows the County to address the deterioration of its public housing units, amounting to approximately \$2 billion dollars in capital improvement needs, by affording PHCD access to various funds and approvals not normally available to Public Housing Agencies so that it may develop funding for preservation or new development of public housing.

The pool is for a term of five years with two, five-year options to renew. Establishing the pool presents no fiscal impact to the County. The options to renew as well as all future award recommendations for ground lease and master development agreements for any of the project sites under the pool will be presented to the Board for approval. Additionally, this item is requesting waiver of the County's bid protest legislation to expedite the commencement of the Work Order Proposal Request process for individual project sites and meet HUD timelines for executing finance plans for the RAD Program projects.

Establishing the pool of prequalified vendors allows the County to begin the Work Order Proposal Request process, which involves the County soliciting proposals from the pool for the development of any of the project sites. The

**BCC Meeting: April 7, 2020  
Research Notes**

**Item No. 8F2  
File No. 200547**

**Researcher: JFP Reviewer: PGE**

developers in the pool must have the experience and capacity of obtaining the funding and managing the construction, maintenance, and operation of multifamily housing projects, including redevelopment experience under the RAD Program. The developers chosen through the Work Order Proposal Request process will have a 75-year lease on the land and co-manage the land with the County, who remains the landowner. The County expects to share in any revenue generated by the future developments, including but not limited to, ground lease payments, net revenues and share of developer fees.

Under the solicitation, the prequalified developers shall deliver the following specific services:

- Obtain funding for the project(s) for all phases of the development and operation from any of the available funding sources; provide development and operating budgets and prepare development proposals for HUD approval.
- Plan, design, expedite permitting processes and approvals; demolish, develop, construct, maintain, and operate proposed Project Site(s) consistent with stated goals and requirements of a solicitation and agreement(s) pursuant to all applicable Federal, State, and Local requirements. Additionally, provide all services required to fully implement the RAD conversion and redevelopment of a project in accordance with HUD requirements, including the Financing Plan which will be used in the HUD RAD approval process.
- Plan and implement the RAD program for the redevelopment of projects issued via future Work Order Proposal Request process.
- Transfer and/or relocate all public housing residents to new public housing units, once new units are completed at the Project Site(s) (one-for-one replacement) at the expense of the developer. Residents of a development shall be transferred/relocated to new public housing units at the Project Site(s) as part of a phased redevelopment approach, as applicable to allow construction of various portions of the site, while other portions remain occupied. Should temporary transfer or relocation to temporary housing units, including, but not limited to, hotel be required, all costs, including, but not limited to, relocation assistance required by the Uniform Relocation and Real Property Acquisition Act of 1970, as amended, and its implementing regulations, shall be borne by the developer.
- Ensure no unauthorized occupancy/use of the vacated or newly-built structures, consistent with existing federal and state laws, at the Project Site(s).
- Manage and operate the Project Site(s) to promote community safety for all the residents by cooperating with the Resident Council leadership, Police, PHCD and applicable agencies, and providing adequate staff for maintenance and operation.
- Work with the PHCD and its staff, as applicable, to undertake all marketing and lease up efforts.
- Organize and manage resident and community engagement processes including, but not limited to, meetings, notices, etc. Review all aspects of the project, receive resident and stakeholder input on all aspects of the project. Receive and incorporate, as feasible, resident and stakeholder input on all aspects of the project.
- Provide a high-quality architectural design for all work which will revitalize the area.
- Incorporate Green Building techniques, provide ample green space and parking, and increase community safety through implementation Crime Prevention Through Environmental Design (CPTED) strategies.
- Guarantee a lien-free completion of the development in compliance with the construction schedule and budget. The developer, not the County, is responsible to any Low-Income Housing Tax Credit (LIHTC) investor for all construction cost overruns, timely completion of construction or the recapture of any LIHTCs.

A Request for Qualifications was issued on September 20, 2019, with notification to over 2,900 vendors, with 25 vendors responding, including one "No Bid," by November 22, 2019, the solicitation's closing date. Of the remaining 24 respondents, 21 are being recommended for inclusion in the pool based on their qualifications, financial strength,

**BCC Meeting: April 7, 2020**  
**Research Notes**

**Item No. 8F2**

**File No. 200547**

**Researcher: JFP Reviewer: PGE**

and relevant experience with the RAD Program as well as with redeveloping and maintaining large multifamily housing projects for public housing agencies. The Mayoral Memorandum states that 14 of the 21 vendors (67%) have local addresses, which is fewer than the 75% local vendor threshold prescribed by Resolution No. R-477-18. Note, however, that OCA found only 11 of the 21 prequalified vendors as having a local address, lowering the percentage of local vendors to 52%.

There are 6,426 units in the RAD conversion portfolio, as approved by HUD on March 22, 2019. The list of Miami-Dade County projects and units subject to development under the RAD Program for this pool consists of 4,680 units in 62 different projects spanning seven commission districts, as detailed below.

District 1

- Venetian Gardens (52 units)
- Opa Locka Elderly (50 units)

District 2

- Little River Plaza (86 units)
- Little River Terrace (108 units)
- Palm Tower (103 units)
- Palm Court (88 units)
- Twin Lakes (76 units)
- Model Cities C (38 units)
- Kline Numm (38 units)
- Annie Coleman 16 (210 units)

District 3

- Gwen Cherry 07 (32 units)
- Gwen Cherry 06 (8 units)
- Gwen Cherry 8 (21 units)
- Gwen Cherry 12 (6 units)
- Gwen Cherry 13 (31 units)
- Gwen Cherry 14 (78 units)
- Gwen Cherry 15 (28 units)
- Gwen Cherry 16 (70 units)
- Gwen Cherry 20 (23 units)
- Wynwood Elderly (72 units)
- Town Park (38 units)
- New Haven Gardens/Site 05 (82 units)
- Lemon City (100 units)
- Helen Sawyer Plaza Assisted Living Facility (104 units)
- Phyllis Wheatley (40 units)
- Claude Pepper (166 units)
- Donn Gardens (64 units)
- Abe Arronovitz (55 units)
- Annie Coleman 14 (245 units)

**BCC Meeting: April 7, 2020**  
**Research Notes**

**Item No. 8F2**

**File No. 200547**

**Researcher: JFP Reviewer: PGE**

- Annie Coleman 15 (144 units)
- Ward Towers I (200 units)
- Ward Towers II – Hope VI (100 units)
- Emmer Turnkey (42 units)
- Peter’s Plaza (102 units)
- Edson Courts (345 units)
- Edison Plaza Elderly (80 units)
- Victory Homes (144)

District 5

- Parkside I & II (56 units)
- Jose Marti Plaza (55 units)
- Little Havana Homes (28 units)

District 7

- Stirrup Plaza Family (24 units)

District 8

- Wayside (30 units)
- Homestead Gardens (150 units)
- Florida City Family (26 units)

District 9

- Arthur Mays Villa (173 units)
- Goulds Plaza (50 units)
- Southridge I (76 units)
- Southridge II (30 units)
- Perrine Gardens (158 units)
- Perrine Villas (20 units)
- Richmond Homes (32 units)
- Heritage Village I (30 units)
- Heritage Village II (26 units)
- Naranja (116 units)
- Moody Village (64 units)
- Pine Island I (80 units)
- Pine Island II (50 units)
- Moody Gardens (34 units)
- Florida City Gardens (50 units)
- West Homestead Gardens (12 units)
- Homestead Village (11 units)
- Homestead East (30 units)

**BCC Meeting: April 7, 2020**  
**Research Notes**

**Item No. 8F2**

**File No. 200547**

**Researcher: JFP Reviewer: PGE**

OCA's due diligence on the prequalified vendors under the pool is detailed below. OCA's search revealed that Standard Southeast, LLC is not registered to do business in Florida. Moreover, OCA could not verify an active registration for Standard Southeast, LLC based on the principal address provided in the Mayoral Memorandum.

Awarded Firm	Corporate Registration	Tax Collector's Office	Florida DBPR	Litigation (Westlaw)
AHS Residential, LLC	Florida Limited Liability Company  Active  Principal Address: 12895 SW 132nd Street, Suite 202 Miami, FL 33186  Filed: January 30, 2017	Business Address: 12895 SW 132nd Street, Suite 202 Miami, FL 33186  Status: Paid and Current	License Type: Apartment	<i>Christopher Benjamin v. AHS Residential LLC, et al</i> (Case No. CACE19004077) Filed on February 23, 2019 in the 17th Judicial Circuit, Broward County. Allegation: Defendant discriminated and refused to negotiate for the rental of dwellings to plaintiff due to lawful source of income in violation of FHA. Case Status: Closed. Settled, voluntary dismissal with prejudice on June 26, 2019.
Atlantic Pacific Communities, LLC	Florida Limited Liability Company  Active  Principal Address: 161 NW 6th Street, Suite 1020 Miami, FL 33136  Filed: September 18, 2013	Business Address: 161 NW 6 <sup>th</sup> St., Suite 1020 Miami, FL 33136  Status: Paid and Current	No account on file.	No relevant cases.
Centennial Management Corp.	Florida Profit Corporation  Active	Business Address: 7735 NW 146 St., Suite 306 Miami Lakes, FL 33016	License Type: Real Estate Corporation	<i>Tramoni K Scott, et al v. Centennial Management Corp, et al</i> (Case No. CACE17022222). Filed in the 17th Judicial Circuit, Broward County on December 8, 2017. Allegation: Defendant failed to perform

**BCC Meeting: April 7, 2020**  
**Research Notes**

**Item No. 8F2**  
**File No. 200547**

**Researcher: JFP Reviewer: PGE**

	Principal Address: 7735 NW 146th Street, Suite 306 Miami Lakes, FL 33016  Filed: January 18, 2001	Status: Paid and Current		necessary repairs and services to plaintiff in good and workmanlike manner causing damages to the plaintiff arising from mold infestation; Case Status: disposed, voluntary dismissal with prejudice; order approving settlement, December 12, 2019.
Cornerstone Group Partners, LLC	Florida Limited Liability Company  Active  Principal Address: 2100 Hollywood Blvd. Hollywood, FL 33020  Filed: June 3, 2015	No account on file.	No account on file.	No relevant cases.
Gorman & Company, LLC	Florida Limited Liability Company  Active  Principal Address: 200 North Main Street Oregon, WI 53575  Filed: January 31, 2018	No account on file.	License Types: Construction Financial Officer; Construction Business Information; Architect Business; Apartment.	No relevant cases.
Housing Trust Group, LLC	Florida Limited Liability Company  Active	Business Address: 3225 Aviation Ave., Suite 602	License Type: Apartment	No relevant cases.



**BCC Meeting: April 7, 2020**  
**Research Notes**

**Item No. 8F2**  
**File No. 200547**

**Researcher: JFP Reviewer: PGE**

	Principal Address: 3225 Aviation Avenue 6th Floor Coconut Grove, FL 33133  Filed: May 12, 2006	Miami, FL 33133  Status: Paid and Current		
IDBG, LLC	Florida Limited Liability Company  Active  Principal Address: 11 Island Ave., #1008 Miami Beach, FL 33139  Filed: November 20, 2019	Business Address: 11 Island Ave., Suite 1008 Miami Beach, FL 33139  Status: Paid and Current	No account on file.	No relevant cases.
Lincoln Avenue Capital Management, LLC	Foreign Limited Liability Company  Not registered to do business in Florida  Active California registration  Principal Address:	No account on file.	No account on file.	No relevant cases.

**BCC Meeting: April 7, 2020**  
**Research Notes**

**Item No. 8F2**  
**File No. 200547**

**Researcher: JFP Reviewer: PGE**

	201 Santa Monica Blvd., Suite 550 Santa Monica, CA 90401  Filed: August 13, 2018			
McCormack Baron Salazar, Inc.	Foreign Profit Corporation  Active  Principal Address: 720 Olive Street, Suite 2500 Saint Louis, MO 63101  Filed: June 16, 2009	Doing business in Miami-Dade County.  Status: Paid and Current	No account on file.	No relevant cases.
McDowell Housing Partners, LLC and National Community Renaissance	Foreign Limited Liability Company  Active  Principal Address: 601 Brickell Key Drive, Suite 700 Miami, FL 33131  Filed: June 13, 2018	Business Address: 601 Brickell Key Drive, Suite 700 Miami, FL 33131  Status: Paid and Current	No account on file.	No relevant cases.
New Urban Development, LLC	Florida Limited Liability Company  Active	Business Address: 8500 NW 25th Avenue Miami, FL 33147	No account on file.	No relevant cases.

**BCC Meeting: April 7, 2020  
Research Notes**

**Item No. 8F2  
File No. 200547**

**Researcher: JFP Reviewer: PGE**

	Principal Address: 8500 NW 25th Avenue Miami, FL 33147  Filed: November 2, 2018	Status: Paid and Current		
Pennrose, LLC	Foreign Limited Liability Company  Active  Principal Address: 230 Wyoming Ave. Kingston, PA 18704  Filed: November 7, 2019	No account on file.	No account on file.	No relevant cases.
Pinnacle Communities, LLC	Florida Limited Liability Company  Active  Principal Address: 9400 S. Dadeland Blvd. Ste 100 Miami, FL 33156  Filed: September 20, 2018	Business Address: 9400 S. Dadeland Blvd. Ste 100 Miami, FL 33156  Status: Paid and Current	No account on file.	No relevant cases.

**BCC Meeting: April 7, 2020**  
**Research Notes**

**Item No. 8F2**  
**File No. 200547**

**Researcher: JFP Reviewer: PGE**

<p>Preservation of Affordable Housing, Inc.</p>	<p>Foreign Not for Profit Corporation</p> <p>Active</p> <p>Principal Address: 40 Court St., Suite 700 Boston, MA 02108</p> <p>Filed: November 26, 2008</p>	<p>Business Address: 690 NW 60th St. Miami, FL 33127</p> <p>Status: Paid and Current</p>	<p>No account on file.</p>	<p>No relevant cases.</p>
<p>Procida Development Group, LLC</p>	<p>Foreign Limited Liability Company</p> <p>Not registered to do business in Florida</p> <p>Active New York registration</p> <p>Principal Address: 456 E. 173rd Street Bronx, New York, 10457</p> <p>Filed: February 29, 2016</p>	<p>No account on file.</p>	<p>No account on file.</p>	<p>No relevant cases.</p>
<p>RAD MAG Development, LLC</p>	<p>Florida Limited Liability Company</p> <p>Active</p> <p>Principal Address: 2100</p>	<p>Business Address: 2100 Coral Way, Suite 405 Miami, FL 33145</p>	<p>No account on file.</p>	<p>No relevant cases.</p>

**BCC Meeting: April 7, 2020**  
**Research Notes**

**Item No. 8F2**  
**File No. 200547**

**Researcher: JFP Reviewer: PGE**

	Coral Way, Suite 405 Miami, FL 33145  Filed: November 20, 2019	Status: Paid and Current		
RUDG, LLC	Florida Limited Liability Company  Active  Principal Address: 315 S. Biscayne Blvd., 3 <sup>rd</sup> Floor Miami, FL 33131	Business Address: 315 S. Biscayne Blvd., 3 <sup>rd</sup> Floor Miami, FL 33131  Status: Paid and Current	License Type: Apartment	No relevant cases.
Standard Southeast, LLC	Not registered to do business in Florida  No active registration	No account on file.		No relevant cases.
The Michaels Development Company I, LP	Foreign Limited Partnership  Active  Principal Address: 2 Cooper Street 14th Floor Camden, NJ 08102  Filed: March 7, 2012	No account on file.	No account on file.	No relevant cases.

**BCC Meeting: April 7, 2020**  
**Research Notes**

**Item No. 8F2**  
**File No. 200547**

**Researcher: JFP Reviewer: PGE**

The Richman Group of Florida, Inc.	Florida Profit Corporation  Active  Principal Address: 477 South Rosemary Avenue, Suite 301 West Palm Beach, FL 33401  Filed: December 3, 1993	No account on file.		No relevant cases.
Volunteers of America National Services Corporation	Florida Not for Profit Corporation  Active  Principal Address: 1660 Duke St. Alexandria, VA 22314  Filed: November 12, 1986	No account on file.		No relevant cases.

**ADDITIONAL INFORMATION**

The RAD Program is a Housing and Urban Development (HUD) program authorized in the FY 2012 Congressional Appropriations Bill that allows for the voluntary, permanent conversion of public housing to the Section 8 Project-Based Housing Program, in so doing providing Public Housing Agencies (PHAs) with access to more stable funding to make needed improvements to properties. RAD provides a means by which to rehabilitate or repair units without needing to depend on federal government funding, which has not been sufficient for PHAs to adequately address the \$26 billion in nationwide public housing capital needs.

RAD provides PHAs the opportunity to leverage public and private debt and equity in order to reinvest in the public housing stock. Among other financial benefits, the RAD Program provides for a 20-year funding contract with annual

**BCC Meeting: April 7, 2020**  
**Research Notes**

**Item No. 8F2**  
**File No. 200547**

**Researcher: JFP Reviewer: PGE**

cost of living adjustments and access to equity through low income housing tax credits, as well as attraction of private construction lenders.

In moving to a Section 8 platform with a long-term contract that, by law, must be renewed, RAD ensures that the units remain permanently affordable to low-income households. Residents continue to pay 30% of their adjusted income towards the rent, maintain the same basic rights as they possess in the public housing program, and gain a new option to request tenant-based assistance if they wish to subsequently move from the property. Residents are also entitled to relocation protections during the temporary transfer from their existing public housing unit while construction is taking place and have the right to return to the development once construction is completed. Those requiring temporary transfer will receive advisory services, at least 90 days of advanced notice, and a comparable replacement dwelling unit to transfer to, as well as services through a professional moving company at no cost to the resident.

<https://www.miamidade.gov/global/housing/rental-assistance-demonstration-program.page>

<https://www.hud.gov/RAD>

**APPLICABLE LEGISLATION**

**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)

**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)

**Section 2-8.4 of the County Code** governs any protest made by a participant in any competitive process utilized for selection of a person or other entity to construct any public improvement, to provide any supplies, materials or services (including professional or management services other than professional services whose acquisition procedure is governed by the Consultant's Competitive Negotiation Act, F.S. Section 287.055 et seq.), or to lease any county property.

<https://library.municode.com/fl/miami> -

[dade county/codes/code of ordinances?nodeId=PTIICOOR CH2AD ARTIINGE S2-8.4PRPR](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.4PRPR)

**Section 2-11.17 of the County Code** sets forth the County's Residents First Training and Employment Program, requiring contractor's to certify in its bid or proposal for a County construction contract that it made its best reasonable efforts to promote employment opportunities for local residents and sought to achieve a project goal of having fifty-one percent (51%) of all Construction Labor hours performed by Miami-Dade County residents.

**BCC Meeting: April 7, 2020**  
**Research Notes**

**Item No. 8F2**  
**File No. 200547**

**Researcher: JFP Reviewer: PGE**

[https://library.municode.com/fl/miami\\_-\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-11.17REFITREMPR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-11.17REFITREMPR)

**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-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-1176-19**, adopted October 29, 2019, directs the County Mayor to collaborate with certain advocacy groups to design and create a Rental Assistance Demonstration Educational Program for public housing residents, resident councils, the overall tenant advisory council, advocates, and the community at large.

<http://intra/gia/matter.asp?matter=192596&file=true&yearFolder=Y2019>



**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F3  
File No. 200120**

**Researcher: VW   Reviewer: PGE**

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01197 GROUPS A AND B TO TABB TEXTILE CO., INC., GROUP D TO UNITED MATTRESS MATERIALS, INC., AND GROUP E TO CHESTNUT RIDGE FOAM, INC. FOR THE PURCHASE OF MATTRESSES AND LINENS FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM IN AN AMOUNT NOT TO EXCEED \$1,266,335.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD FOR GROUPS A,B,D, AND E, ISSUE THE APPROPRIATE PURCHASE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION OR EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize the approval of *Contract No. FB-01197* Groups A and B to Tabb Textile Co., Inc., Group D to United Mattress Materials, Inc., and Group E to Chestnut Ridge Foam, Inc. to purchase mattresses and linens in an amount of up to \$1,266,335 for a five-year period for multiple County departments.

**PROCEDURAL HISTORY**

**Prime Sponsor:** None

**Department/Requester:** Internal Services

This item was brought before the Health Care and County Operations Committee on February 13, 2020 and forwarded to the BCC with a favorable recommendation. Due to lack of quorum, the foregoing item was carried over from the March 3, 2020 BCC meeting to the March 17, 2020 BCC meeting. However, the March 17th meeting was cancelled due to the novel Coronavirus (COVID-19) outbreak.

**ANALYSIS**

The purpose of this item is for the Board to approve the award of a long-term replacement contract – *Contract No. FB-01197* (Groups A, B, D, and E) – to purchase mattresses and linens for use by multiple County departments in an amount of up to \$1,266,335. More specifically, the contract will be used by the Corrections and Rehabilitation, Fire Rescue and Community Action and Human Services departments to support their operational requirements.

The solicitation included six groups as follows:

- Group A (Purchase of Pillows and Bed Linens Non-Federal Funds)
- Group B (Purchase of Pillow and Bed Linens Federal Funds)
- Group C (Purchase of Mattresses, Box Springs, Bedframes Non-Federal Funds)
- Group D (Purchase of Mattresses, Box Springs, Bedframes Federal Funds)
- Group E (Purchase of Clearview Mattresses and Pillows Non-Federal Funds)
- Group F (Refurbishment of Mattresses Non-Federal Funds)

Group C is a set-aside for County-certified local small business vendors. The replacement contract was advertised under full and open competition on July 30, 2019. Twelve bids were received in response to the solicitation. Award of the contract was made to the lowest-priced responsive and responsible bidder in the aggregate per group. Group E is awarded to Chestnut Ridge Foam, Inc., Groups A and B to Tabb Textile Co., Inc., and Group D to United Mattress Materials, Inc.

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F3  
File No. 200120**

**Researcher: VW   Reviewer: PGE**

No award was made for Group F as the sole bidder was deemed nonresponsive by the County Attorney's Office for deviating from the solicitation's specifications for annual estimated quantity amounts per item. Similarly, no award was made for Group C as no certified small business vendors submitted bids. Accordingly, the Administration will resolicit these groups.

The recommended replacement contract consolidates two current contracts for these services: *Contract No. FB-00141* (Pillows, Bed Linens, Mattresses, Box Springs and Bed Frames) valued at \$1,028,443.60 for a term of five years and two months and *Contract No. FB-01197B* (Mattresses and Linens) valued at \$250,000 for a term of eight months. Note that Chestnut Ridge Foam, Inc., the recommended awardee for Group E under the replacement contract, is the awarded vendor under *Contract No. FB-01197B*. The largest user of the replacement contract is the Corrections and Rehabilitation Department with 82% of the total allocation, i.e., \$1,038,926 of the total requested allocation of \$1,266,335.

For comparative purposes, OCA reviewed the Blanket Purchase Orders of the current contracts in the Bid Tracking System on April 1, 2020. For *Contract No. FB-00141*, the Blanket Purchase Order shows that of the \$1,028,443.60 modified allocation amount, a total of \$991,934.80 has been released, leaving a balance of \$36,508.80. The contract expires on May 31, 2020. For *Contract No. FB-01197B*, the Blanket Purchase Order shows that of the \$250,000 allocation amount, a total of \$79,932.60 has been released, leaving a balance of \$170,067.40. The combined allocation of the current contracts (*No. FB-00141* and *No. FB-01197B*) is \$1,278,443.60, which is slightly higher than the \$1,266,335 allocation for the proposed contract (*No. FB-01197*). The table below displays the total and annualized allocations across the two current contracts and the replacement contract.

	Contract No.	Term	Total Allocation	Annual Allocation
Current Contracts	<i>FB-00141</i>	5 years 2 months	\$1,028,443.60	\$247,440.69
	<i>FB-01197B</i>	8 months	\$250,000	\$375,000
Replacement contract	<i>FB-01197</i>	5 years	\$1,266,335	\$253,267

OCA conducted a search of the solicitation's commodity codes in the Business Management Workforce System on April 1, 2020: 85052 (Mattress Covers, Cotton or Vinyl); 85056 (Mattress Pads); 85060 (Mattress Protectors and Pillow Covers, Synthetic); 85084 (Ticking, Mattress and Pillow, Synthetic and Waterproofed); 96254 (Mattress and Bedspring Renovation and Repair); 56554 (Recycled Mattress and Pillow Manufacturing Equipment, Including Parts and Accessories); 42068 (Mattresses and Bedsprings, Including Fillers); 85063 (Pillows, All Types) and 57800 (Miscellaneous Products). That search yielded 14 local small business enterprise firms:

- Ballpark Maintenance, Inc.
- Holsen, Inc.
- Innovative Incentives, Inc.

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F3  
File No. 200120**

**Researcher: VW Reviewer: PGE**

- iPhone and iPad Warehouse LLC
- Lithografikos LLC
- Maintenance Services 360 LLC
- Office Express Supplies, Inc.
- P. S. Systems, Inc.
- Pin Pan Pun, Inc.
- Plan B Concepts, Inc.
- Simon Bolivar International, Inc.
- The Tools Man, Inc.
- Toner Cartridge Recharge, Inc.
- Total Connection Inc.

OCA performed due diligence on April 1, 2020 pertaining to the recommended awarded vendors, Tabb Textile Co, Inc., United Mattress Materials, Inc., and Chestnut Ridge Foam, Inc.; the results are shown below.

Awarded Firm	Corporate Registration	Tax Collector's Office	Florida DBPR	Westlaw
Tabb Textile Co., Inc.	Domestic Corporation  Active  Principal Address: 511 Pleasant Drive Opelika, AL 36801  Filed: December 30, 1996	Nothing Found	No account on file	No relevant case found
United Mattress Materials, Inc.	Florida Profit Corporation  Active  Principal Address: 440 W 20 <sup>th</sup> St. Hialeah, FL 33010  Filed: October 13, 2010	Current and paid  Business address: 440 W 20 <sup>th</sup> St. Hialeah, FL 33010	No account on file	<i>Zuniga v. United Mattress, Inc. et al</i> ; Case No. 1:17CV06751, filed in the U.S. District Court, Northern District of Illinois (Chicago) on September 19, 2017. Allegation: Class Action. Defendants failed to pay plaintiff and other employees all earned wages for all time worked at the rates agreed upon by the parties and illegally made deductions from their pay for shortages. Status: Dismissed with prejudice on July 26, 2018.  <i>Martinez et al v. United Mattress Materials, Inc. et al</i> ; Case No. 1:14-CV-24004, filed in the U.S. District Court, U.S. District Court, Southern District of Florida (Miami) on October 27,

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F3  
File No. 200120**

**Researcher: VW Reviewer: PGE**

				2014. Allegation: Class Action. Plaintiffs and the putative class employees sue defendants under the Fair Labor Standards Act for failure to pay overtime wages. Status: Order approved FLSA settlement and dismissed action; case closed on February 22, 2016.
Chestnut Ridge Foam, Inc.	Foreign for Profit Corporation  Active  Principal Address: 443 Warehouse Drive Latrobe, PA 15650  Filed: July 24, 1986	Nothing Found	No account on file	<i>Van Winkle v. Chestnut Ridge Associates, LLC, et al.</i> ; Case No. 4:17-CV-01910, filed in the U.S. District Court, Southern District of Texas (Houston) on June 22, 2017. Allegation: Defendants' failure in removing the architectural barriers in their premises hindered plaintiff from fully and equally accessing the goods and services offered therein. Status: Dismissed with prejudice on March 20, 2018.

**APPLICABLE LEGISLATION/POLICY**

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

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

**Implementing Order (I.O.) 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>

**Resolution No. 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.

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

**Resolution No. R-718-17**, adopted July 6, 2017, directs the Mayor to commence planning for re-procurement no later than 18 months prior to the expiration of contracts and Lists of Prequalified Vendors for the purchase of goods and/or services; and directs the Mayor or their designee, on a quarterly basis to identify in writing to the Office of Commission Auditor those contracts and prequalified vendor lists that are set to expire no later than 18 months prior to expiration.

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

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F3  
File No. 200120**

**Researcher: VW   Reviewer: PGE**

**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-140-15**, adopted February 3, 2015, directs the mayor to conduct a full review, prior to re-procurement of replacement contracts for goods and services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the county, to include information in recommendations to the Board, and to consult with the Small Business Development division, regarding solicitation and contract language.

<http://www.miamidade.gov/govaction/matter.asp?matter=150090&file=true&fileAnalysis=false&yearFolder=Y2015>

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

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

**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>

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F4  
File No. 200176**

**Researcher: IL   Reviewer: PGE**

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01356 TO NEW FLYER OF AMERICA, INC. FOR THE PURCHASE OF 140 LOW-FLOOR HEAVY DUTY 40-FOOT COMPRESSED NATURAL GAS BUSES FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS WITH AN AMOUNT NOT TO EXCEED \$74,548,600.00, 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; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR THIS PROJECT WHICH WAS IN THE ORIGINAL EXHIBIT 1 OF THE PEOPLE'S TRANSPORTATION PLAN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve an award of *Contract No. FB-01356* to New Flyer of America, Inc. for the purchase of 140 low-floor, heavy duty 40-foot compressed natural gas (CNG) buses in a total amount of up to \$74,548,600 for the Department of Transportation and Public Works (DTPW) for a five-year term, authorizing the use of Charter County Transportation Surtax funds for such purpose.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

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

This item was brought before the TAF Committee on March 11, 2020 and forwarded to the BCC with a favorable recommendation. Commissioner Sally Heyman, representing Commission District 4, requested that this item be waived to the next BCC meeting. Prior to that, the item was considered by the CITT on February 27, 2020 wherein the CITT voted to forward a favorable recommendation to the County Commission for approval of the contract award item. The CITT recommendation is attached to this research note.

**ANALYSIS**

The purpose of this item is for the County to acquire 140 CNG-powered low-floor 40-foot buses from New Flyer of America, Inc. (New Flyer) to replace buses that have exceeded their useful life of 12 years or 500,000 miles and are thus eligible for retirement. The purchase includes associated parts, training and necessary ancillary items. Warranty is included in this contract including up to three service representatives on-site at County facilities to perform warranty repairs and supply technical support for a minimum one-year period, beginning from the date of acceptance of the last bus of each lot of buses delivered, as follows: 1 to 50 buses, one technical service representative; 51 to 100 buses, two technical service representatives; and 101 to 140 buses, three technical service representatives; This item is specifically requesting \$74,548,600 to cover this purchase for the five-year term. Charter County Transportation Surtax and Lease Financing funds are the funding sources; however, the item is silent as to the exact portion of the purchase that will be funded by surtax dollars.

Under the solicitation, the method of award was to the responsible and responsive bidder for either Option 1 (i.e., award of 140 buses to the lowest bidder who delivers all buses no later than August 31, 2020 when the total bid price is lower by \$1 million or more when compared to the lowest combined bid prices for Option 2) or Option 2 (i.e., award of 140 buses to the lowest two bidders for 70 buses each who deliver all buses no later than June 30, 2020). Additionally, the solicitation sets forth that awarded prices shall be fixed and firm for the term of the contract, disqualifying price adjustments. Note that OCA contacted DTPW inquiring if the County was still on schedule for the delivery of the 140 CNG buses, DTPW did not respond.

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F4  
File No. 200176**

**Researcher: IL    Reviewer: PGE**

There was a previous item recommending the purchase of 140 40-foot CNG-powered buses presented for Board consideration and approval. The item was on the July 10, 2019 Board agenda, recommending the purchase of 140 CNG buses in an amount of \$80,938,454 via accessing a Commonwealth of Virginia contract. Ultimately, the item was not approved due to the lack of a motion. Under that item, Gillig, LLC would provide 40 buses, and New Flyer would provide 100 buses (see Legistar File No. 191268). The County sought to access this contract to capitalize on economy of scale pricing and an accelerated delivery schedule to meet DTPW's needs.

In lieu of the above-described access contract as an avenue to purchase the needed 140 CNG buses, the County advertised *Contract No. FB-01356* on July 26, 2019 as an open and competitive solicitation. The bids were due on September 11, 2019. Three firms responded to the solicitation: Gillig, New Flyer and Nova Bus Co. (Nova). Note, however, that Nova submitted a "No Bid." The price breakdown per bus under each option for award as well as a price comparison to the Commonwealth of Virginia Contract is illustrated below.

**Figure 1: Option 1, one firm delivers 140 buses and the delivery is by August 31, 2020**

Manufacturer	Commonwealth of Virginia (CWOV) Price Per Bus	Miami-Dade County (MDC) Procurement Price Per Bus	The variance between CWOV and MDC	Total Price for 140 Units CWOV	Total Price for 140 MDC Procurement Price	The Variance between CWOV and MDC for the total 140 bus
Gillig	\$576,987.00	\$547,414	\$ 29,573	\$80,778,180	\$76,637,960	\$4,140,220
New Flyer	\$578,589.74	\$532,490	\$ 46,099.74	\$81,002,563	\$74,548,600	\$6,453,963
Nova Bus Co.	\$577,254.00	No Bid	Not Applicable	\$80,815,560	No Bid	Not Applicable

**Figure 2: Option 2, two firms are selected, and each firm delivers 70 buses by June 30, 2020**

Manufacturer	Commonwealth of Virginia (CWOV) Price Per Bus	Miami-Dade County (MDC) Procurement Price Per Bus	The variance between CWOV and MDC	Total Price for 70 Units CWOV	Total Price for 70 MDC Procurement Price	The Variance between CWOV and MDC for the total 70 bus.
Gillig	\$576,987.00	\$565,795	\$ 11,192	\$40,389,090	\$39,605,650	\$ 783,440
New Flyer	\$578,589.74	\$547,440	\$ 31,149	\$40,501,230	\$38,320,800	\$2,180,430
Nova Bus Co.	\$577,254.00	No Bid	Not Applicable	\$40,407,780	No Bid	Not Applicable

DTPW elected to contract with New Flyer under option 1 as the best method for achieving the department's operational goals, e.g., cost effectiveness and fastest delivery schedule. The difference between the total price of the Commonwealth of Virginia Contract (\$80,938,454) and *FB-01356* (74,548,600) is \$6,389,854 in savings. OCA inquired as to whether New Flyer will be providing a \$5,000 credit for maintenance and training as was promised under the Virginia contract. DTPW



**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F4  
File No. 200176**

**Researcher: IL    Reviewer: PGE**

advised that there are no credits and that training is inclusive in New Flyer's bid offer. However, DTPW did not confirm if maintenance was also inclusive in New Flyer's bid offer.

Note that the County has had a commercial history with both New Flyer and Gillig. The County previously purchased 120 heavy duty low floor 40-foot CNG-powered buses from Gillig via accessing the Lynx contract pursuant to Resolution No. R-99-19 which was approved by the Board on January 23, 2019. Through Resolution No. R-564-15, approved by the Board on June 30, 2015, the County purchased 64 heavy duty, low floor 60-foot hybrid buses from New Flyer.

It is important to note that DTPW informed OCA that fueling capabilities exist at County depots to accommodate all CNG buses being purchased under this item. Moreover, according to DTPW, this procurement will finalize the 40-foot CNG bus request. The procurement of these buses will be financed and repaid from PTP funding in accordance with the original PTP Exhibit One. DTPW also advised OCA that it is in the process of purchasing 100, 60-foot Battery Electric Buses under *RFP-01501*, which is currently under the Cone of Silence.

**Figure 3:** OCA performed a due diligence analysis on the awarded firm on March 31, 2020

Vendor	Sunbiz	Tax Collector	West Law
New Flyer of America, Inc.	Foreign Profit Corporation: Principal Address: 6200 Glenn Carlson Dr., St. Cloud, MN 56301-8852 Date Filed: 03/27/2015	No profile	No Adverse cases

**Miami-Dade County CNG Bus and Infrastructure Developments**

**Figure 4:** below summarizes the County's fiscal activity in support of a heavy fleet CNG Program. The fiscal activity shown, totaling \$623,459,682, reflects both mayoral and BCC-approved allocations. If the County Administration's request to purchase 140 additional CNG buses from New Flyer under *Contract No. FB-01356* is approved, the total allocated sum for this heavy fleet and associated infrastructure would be \$698,008,282.

Approval Date	Resolution or Authority	Subject	Term	Approved Value
12/04/14	Approved under County Mayor's delegated authority	Five CNG tractors for DSWM	1 year	\$973,000
05/05/15	R-388-15	Five additional CNG tractors for DSWM	1 year	\$973,000
05/17/16	R-343-16	DSWM-City of N. Miami Fuel Services Agreement	1 year plus 3 additional 1-year OTRs	\$275,000
01/24/17	R-35-17	DTPW CNG Program with Trillium	10 years plus one 10-year OTR	\$428,773,000
03/14/17	R-333-17	FDOT JPA for 3 CNG buses for Beach Corridor Project	1 year and 8 months	\$800,000
10/17/17	R-951-17	Renewing DSWM-City of N. Miami Fuel Services Agreement	3 years	\$825,000
01/23/19	R-99-19	Purchase 120 CNG buses from Gillig for DTPW	2 years and 8 months	\$69,210,520



**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F4  
File No. 200176**

**Researcher: IL    Reviewer: PGE**

03/05/19	R-234-19	FDOT Public Transit Grant Agreement for 7 CNG buses for Beach Corridor Project	1 year and 9 months	\$1,866,563
10/03/19	R-1041-19	Purchase of up to 75 battery-electric buses for DTPW	5 years	\$72,176,322
12/03/2019	R-1316-19	Supplemental Agreement No. 1 to a Master Developer Agreement	10 years	\$47,587,277
*01/22/2020	R-15-20	Grant Agreement with FDOT to acquire 11 CNG buses for I-95 Express Bus Service	N/A	-\$6,000,0000
**04/07/2020	Legistar File No. 200176	Purchase of 140 CNG buses for DTPW	5 years	\$74,548,600
<b>Total:</b>				\$698,008,282

\*This is a grant agreement which has no fiscal impact on the County's budget.

\*\*This procurement item is pending BCC approval.

**Figure 5** below depicts vehicle inventory, vehicle cost, CNG infrastructure status and outlook plans for DTPW. As seen below, of the department's 767 buses, 420 are CNG-powered.

Entity	Fleet Size	Cost & Vendor	Alternative Energy Infrastructure Status	Short-Term & Long-Term Plans
Miami-Dade County Department of Transportation and Public Works (DTPW)	Current active fleet of 767 buses. <ul style="list-style-type: none"> <li>420 CNG buses currently active in fleet. (Gillig/ New Flyer)</li> <li>137 hybrid diesel electric buses currently in fleet. (Nabi/New Flyer/ Gillig)</li> <li>210 diesel buses currently in fleet. (Nabi/Gillig/MCI)</li> </ul>	*Average Cost of CNG bus: \$561,000 (New Flyer); \$576,000 (Gillig)	DTPW operates CNG stations in the Central & Coral Way Bus Depot facilities. The fueling infrastructure is currently under construction. Fueling is conducted by temporary arrangement. There are currently no sales to third parties. A third CNG fueling station was approved for the Northeast Bus Depot facility.	Procurement of 33 electric-powered vehicles manufactured by Proterra, with an option to purchase 42 more through a grant pilot program as well as with PTP surtax dollars, was approved by BCC on October 3, 2019 through Resolution No. R-1041-19. The bus manufacturer, a third-party, and FPL will work with DTPW to design and build necessary charging grid. The electrical infrastructure for this fleet is expected to take between two and two-and-a-half years to complete.

\*The bus values in this table are from an earlier contract and not from Figure 1 and Figure 2 mentioned above.

**Figure 6:** Allocation of CNG Buses at DTPW's Three Bus Depots

Bus Manufacturer	Northeast	Central	Coral Way	Total
New Flyer	0	219	81	300
Gillig	68	0	52	120
<b>Total</b>	<b>68</b>	<b>219</b>	<b>133</b>	<b>420</b>

\*As of March 30, 2020

Item No. 8F4  
File No. 200176

Researcher: IL Reviewer: PGE

#### **ADDITIONAL INFORMATION**

New Flyer of America has delivered nearly 13,000 CNG buses across North America and has been in the business of providing CNG buses for 25 years. Note that New Flyer of America also manufactures Battery-Electric Buses.



<https://www.newflyer.com/buses/xcelsior-chargeh2/>

<https://www.newflyer.com/buses/xcelsior-cng/>

Exhibit One of the original PTP 5 Year plan

<https://www.miamidade.gov/citt/library/five-year-plan/2011/exhibit-1.pdf>

#### **APPLICABLE LEGISLATION/POLICY**

**Section 5.03(D) of the Home Rule Charter** governs 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. Formal sealed bids shall be secured for all such contracts and purchases when the transaction involves more than the minimum amount established by the Board of County Commissioners by ordinance.

<https://library.municode.com/fl/miami> -

[dade county/codes/code\\_of\\_ordinances?nodeId=PTICOAMCH\\_ART5ADORPR\\_S5.03FIAD](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTICOAMCH_ART5ADORPR_S5.03FIAD)

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

<https://library.municode.com/fl/miami> -

[dade county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-1RUPRCOCO](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-1RUPRCOCO)

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

<https://library.municode.com/fl/miami> -

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

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F4  
File No. 200176**

**Researcher: IL   Reviewer: PGE**

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

[County Code Link](#)

**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 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-419-14**, adopted April 1, 2014, authorizing the County Mayor to advertise a Request for Proposals (RFP) for a compressed natural gas (CNG) program.

<http://www.miamidade.gov/govaction/matter.asp?matter=140812&file=true&fileAnalysis=false&yearFolder=Y2014>

**Resolution No. R-564-15**, adopted June 30, 2015, approved purchase of up to 64 hybrid buses from New Flyer of America Inc., in the amount of \$71,387,000 for a five-year term.

<http://www.miamidade.gov/govaction/matter.asp?matter=150352&file=true&fileAnalysis=false&yearFolder=Y2015>

**Resolution No. R-1011-15**, adopted November 3, 2015, directs the 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 directs the Mayor to include such information in the memorandum to Board pertaining to vendor being recommended for contract award.

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

**Resolution No. R-99-19**, adopted January 23, 2019, approved Purchase Order No. POMT 1900555 with Gillig LLC in the amount of \$69,210,520.00 for the purchase of 120 Low-Floor 40-foot compressed Natural Gas (CNG) buses through the Central Florida Regional Transportation authority D/B/A/ Lynx Contract No. 14-C09.

<http://www.miamidade.gov/govaction/matter.asp?matter=190042&file=true&fileAnalysis=false&yearFolder=Y2019>

**Resolution No. R-35-17**, adopted January 24, 2017, approved an award of a master developer agreement, Contract No. 00096, compressed natural gas program for DTPW to Trillium Transportation Fuels, LLC in a total amount not to exceed \$428,773,000.00 for an initial 10-year term with an option to renew up to 10 years.

<http://www.miamidade.gov/govaction/matter.asp?matter=162416&file=true&fileAnalysis=false&yearFolder=Y2016>

**Resolution No. R-1262-18**, adopted December 4, 2018, directed the County Mayor to issue a purchase order pursuant to the Central Florida Regional Transportation Authority D/B/A Lynx Contract No.14-C09 for the purchase of compressed natural gas buses to replace metro buses that have reached their useful life span of 12 years and/or 500,000 miles of service in a number up to the maximum amount of available funds budgeted for this purpose in FY 2018-2019.

<http://www.miamidade.gov/govaction/matter.asp?matter=182875&file=false&fileAnalysis=false&yearFolder=Y2018>

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F4  
File No. 200176**

**Researcher: IL   Reviewer: PGE**

**Resolution No. R-1258-18**, adopted December 4, 2018, directing the County Mayor to exercise the option subject to Board approval, in master developer agreement, Contract No. RFP-00096, with Trillium Transportation Fuels, LLC., to construct a compressed natural gas (CNG) fueling facility at the Northeast Bus Depot and to procure additional CNG buses in order to operate CNG buses from the Northeast Bus depot.

<http://www.miamidade.gov/govaction/matter.asp?matter=182862&file=true&fileAnalysis=false&yearFolder=Y2018>

**Resolution No. R-1316-19**, adopted December 3, 2020, approving supplemental agreement No. 1 to Master Developer agreement between Trillium Transportation Fuels, LLC and Miami-Dade County for the CNG program for DTPW, increasing the contract amount by \$47,587,277, exercising the option for development of the Northeast Bus Depot and terminating the lease for the CNG public access station for the Central Bus Depot.

<http://intra/gia/matter.asp?matter=200307&file=false&yearFolder=Y2020>

**Resolution No. R-1041-19**, adopted October 3, 2019, approving the award of Contract No. RFP00456 to Proterra, Inc. for the purchase of Batter Electric Buses and Charging System for DTPW in a total amount not to exceed \$72,176,322 for a five-year term.

<http://intra/gia/matter.asp?matter=191770&file=true&yearFolder=Y2019>

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

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

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F5  
File No. 200379**

**Researcher: MF   Reviewer: PGE**

RESOLUTION APPROVING AWARD OF CONTRACT NO. RFP-01385 TO BEACH RAKER LLC, FOR SEAWEED REMOVAL AND MECHANICAL BEACH CLEANING FOR THE MIAMI-DADE COUNTY PARKS, RECREATION AND OPEN SPACES DEPARTMENT WITH AN ESTIMATED FISCAL IMPACT TO THE COUNTY IN A TOTAL AMOUNT NOT TO EXCEED \$14,152,380 OVER THE ONE-YEAR TERM AND FOUR, ONE-YEAR OPTIONS TO RENEW; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL PROVISIONS CONTAINED THEREIN, 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 approve award of *Contract No. RFP-01385* to Beach Raker, LLC for the removal of seaweed and mechanical beach cleaning services in the amount of up to \$14,152,380 for a term of one-year with four, one-year options to renew for the Parks, Recreation and Open Spaces Department.

**PROCEDURAL HISTORY**

**Prime Sponsor:** None

**Department/Requester:** Internal Services Department

This item was heard at the Infrastructure and Capital Improvements (ICI) Committee meeting of March 10, 2020 and forwarded to the BCC with a favorable recommendation. The Chairwoman of the BCC approved a request to waive the BCC's Rules of Procedure to enable the item to travel to the next scheduled BCC meeting.

**ANALYSIS**

The purpose of this item is for the County to replace the existing emergency contract for seaweed and mechanical beach cleaning services with the present recommended award. The recommended item establishes the replacement award under *Contract No. RFP-01385* with Beach Raker, LLC for a term of one-year plus four, one-year options to renew for a cumulative value of up to \$14,152,380 for the Parks, Recreation and Open Spaces Department (PROS).

Under the contract, the awardee, on an annual basis, shall perform routine mechanical beach cleaning, seaweed collection, removal and disposal services at the following beaches from March 1st through October 31st: Government Cut Jetty North, Miami Beach (break waters from approximately 26th Street to 32nd Street), and Bal Harbour (Haulover Cut Jetty South and North). From November 1st through February 28th each year, the solicited services shall be delivered as needed. The contract's specific scope of work is bulleted below:

- Removal of all collected material daily from the high tide mark to the water line and haul it to a disposal/collection site approved by the County; the awardee shall not change existing grades of beaches, bury or mix collected material with sand or place any collected material into the water; collected material is not to be stored and/or mulched on the beach.
- Groom beaches daily to include filling in holes left behind by beach users with beach sand.
- Sift the beach a minimum of four inches in depth at least twice a month per a schedule agreed upon by the County's Project Manager. The beach must be sifted westward of the waterline up to the dunes to remove collected material.

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F5  
File No. 200379**

**Researcher: MF   Reviewer: PGE**

The awardee is required to hold a current General Hauler Permit issued by Miami-Dade County Department of Solid Waste Management.

The Request for Proposals (RFP) for this award was advertised on October 7, 2019; four proposals were received, including one “No Bid,” by the November 6, 2019 proposal opening date. The Competitive Selection Committee recommended the County negotiate with the highest ranked proposer, Beach Raker, LLC, due to the vendor’s experience and qualifications in the specific field area requested. Table 1 summarizes the scores below. Note that the lowest price submitted was by Texas Aquatic Harvesting, Inc. not by the recommended awardee, Beach Raker, LLC.

**Table 1**

<b>Proposer</b>	<b>Technical Score (max. 575)</b>	<b>Price Score (max. 125)</b>	<b>Total Combined Score (max. 700)</b>	<b>Price/Cost Submitted</b>	<b>Local or Non- Local</b>
Beach Raker, LLC	532	109.75	641.75	\$455,000.00	Non-Local
SFM Services, Inc.	500.5	98.5	599	\$517,506.25	Local
Texas Aquatic Harvesting, Inc.	406.5	102	508.5	\$442,697.18	Non-Local

The fiscal impact for the initial one-year term is \$2,730,000. If the four, one-year option terms are exercised, the contract’s cumulative fiscal impact will be \$14,152,380. The contract’s price scheme is based on a fixed monthly price for the services as set forth in Table 2.

**Table 2**

<b>Fixed Monthly Price for Seaweed Collection, Removal, Disposal and Mechanical Beach Cleaning Services: March – October (8 Months)</b>					
<b>Description</b>	<b>Monthly Price Year 1</b>	<b>Monthly Price OTR 1</b>	<b>Monthly Price OTR 2</b>	<b>Monthly Price OTR 3</b>	<b>Monthly Price OTR 4</b>
Government Cut Jetty North (600 linear feet)	\$55,000	\$55,000	\$57,225	\$58,365	\$59,530
Miami Beach Breakwaters from 25 <sup>th</sup> Street to 32 <sup>nd</sup> Street (2300 linear feet)	\$95,000	\$95,000	\$98,840	\$100,815	\$102,830
Bal Harbour a) Haulover Cut Jetty South (800 linear feet); b) Haulover (Haulover Park) Cut Jetty North (600 linear feet)	\$77,500	\$77,500	\$80,630	\$82,240	\$83,890

The value of the initial term, each option term and the contract’s cumulative value is depicted in Table 3 below. According to the Administration, through negotiations, the County achieved a savings of \$54,600 for the first option to renew period, resulting in the value of the first option to renew equaling that of the initial term.



**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F5  
File No. 200379**

**Researcher: MF   Reviewer: PGE**

**Table 3**

<b>Terms</b>	<b>Annual Value</b>
Initial Term (year 1)	\$2,730,000
Optional Term 1 (year 2)	\$2,730,000
Optional Term 2 (year 3)	\$2,840,340
Optional Term 3 (year 4)	\$2,897,040
Optional Term 4 (year 5)	\$2,955,000
<b>Cumulative Value</b>	<b>\$14,152,380</b>

In July 2019, PROS declared an emergency due to the inordinate amount of seaweed washing ashore, specifically in three hot spots of the County: Bal Harbour, Haulover Park and Miami Beach – areas represented by Commissioner Sally A. Heyman (District 4) and Commissioner Eileen Higgins (District 5). Subsequently and pursuant to Resolution No. R-1031-19, the Board approved emergency *Contract No. E10030-0/19, Seaweed Removal Services*, on October 3, 2019, ratifying the department's emergency purchase of \$1,042,500. The term of the emergency contract was effective on July 30, 2019 and expires on April 30, 2020. The contract's current value is \$2,152,900.32 due to a six-month proration totaling \$1,110,400.32. The emergency contract vendor, Beach Raker, LLC, is the recommended awardee under this item. OCA reviewed the Bid Tracking System (BTS) on March 26, 2020 and noted that the emergency contract's Blanket Purchase Order has been depleted, leaving a zero balance.

OCA conducted a search for Commodity Code 98856 (Litter Removal Services-Including Beach Cleaning) on the Business Management Workforce System's Certified Vendor Directory on March 26, 2020. Listed below are the local SBEs identified.

- A Wright Approach, LLC   Miami, FL   SBE-G&S
- Accusource Corp. dba Accusource Cleaning Service   Miami, FL   SBE-G&S
- Besu Services, Inc.   Miami, FL   SBE-G&S
- Dunol Construction Management, (DCM), LLC dba Dunol Engineering Corp.   Miami, FL   SBE-G&S
- Gum Hunters Carpet & Tile Cleaning Services   Homestead, FL   SBE-G&S
- Howard Seal Coating & Land Clearing, Inc.   Miami, FL   SBE-G&S
- Pack Plus, Inc. dba Josmar Medical Staffing   North Miami Beach, FL   SBE-G&S
- RC Pro Maintenance Corp.   Homestead, FL   SBE-G&S
- RJR Construction, Inc.   Miami, FL   SBE-G&S

Whether these vendors have the capacity to participate in any aspect of the contract's scope of services is beyond the scope of this research note. None of the vendors listed above submitted proposals for the subject RFP.

OCA performed due diligence on the awarded vendor, Beach Raker, LLC on March 30, 2020; below are the findings.

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F5  
File No. 200379**

**Researcher: MF   Reviewer: PGE**

<b>Awarded Firm(s)</b>	<b>Corporate Registration</b>	<b>Tax Collector's Office</b>	<b>Florida DBPR</b>	<b>Westlaw</b>
Beach Raker, LLC	Florida Limited Liability Company  Active  Principal Address: 220 NE 13 St. Pompano Beach, FL  Filed: April 23, 2018	Business Address: 220 NE 13 St. Pompano Beach, FL  Paid and Current	No account on file	No cases found

**ADDITIONAL INFORMATION**

A July 2019 Miami Herald article described the seaweed (sargassum) crisis across County beaches and the type of concerted efforts that were underway by County staff to tackle the situation.

<https://www.miamiherald.com/news/local/community/miami-dade/article233021577.html>

Based on information found on Beach Raker, LLC's website, the company was established more than 40 years ago and serves the South Florida area across Monroe, Miami-Dade, Broward, and Palm Beach Counties. The company lists several specializations – including seaweed management and mechanical raking.  
<http://www.floridabeachraker.com/>

The illustration below is from the Beach Raker, LLC's website, depicting the before and after scenario of the work performed.



**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



**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F5**

**File No. 200379**

**Researcher: MF Reviewer: PGE**

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)

**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 1031-19**, adopted October 3, 2019, authorized designated purchased pursuant to Section 2-8.1(B)(3) of the County Code by a two-thirds vote of the Board members present, ratifying an emergency purchase in an amount not to exceed \$1,042,500 to Contract No. E-10030 for the purchase of seaweed removal services for PROS.

<http://intra/gia/matter.asp?matter=192105&file=true&yearFolder=Y2019>

**Resolution No. R-828-19**, adopted July 23, 2019, established a County policy for disclosure of past and present discrimination lawsuits in solicitation submissions; requiring the following: 1) implementing a policy of disclosure of discrimination lawsuits; 2) requiring in competitive and non-competitive solicitation documents the disclosure of lawsuits that include allegations of discrimination and dispositions of such lawsuits for a 10-year period through the date of the solicitation or non-competitive award recommendation; and 3) provide a report to the Board.

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

**Resolution No. R-477-18**, adopted on 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 1011-15**, adopted November 3, 2015, directs the County Mayor or designee to require that vendors provide addresses of all local branch offices and headquarters and the number and percentage of local residents such vendors employ.

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

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

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

**Resolution No. R-716-12**, adopted by the Board on 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>

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F6  
File No. 200606**

**Researchers: IL & VW   Reviewer: PGE**

RESOLUTION APPROVING CHANGE ORDER NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN MIAMI-DADE COUNTY AND CBREIHEERY FORMERLY KNOWN AS SEQUEIRA & GAVARRETE, INC. FOR DESIGN SERVICES FOR THE RENOVATION OF THE CULMER/OVERTOWN NEIGHBORHOOD SERVICES CENTER, ISD PROJECT NO: A05-GSA-02-GOB ESP; CONTRACT NO: Z000120D-217-A05-GSA-02GOB ESP PROVIDING FOR AN INCREASE OF \$173,245.00 AND 705 CALENDAR DAYS OF ADDITIONAL DESIGN AND CONSTRUCTION ADMINISTRATION TIME; AUTHORIZING FUNDING FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FUNDS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize Change Order No. 1 to the Professional Services Agreement (PSA) with CBRE | Heery formerly known as Sequeira & Gavarrete, Inc. for design services for the renovation of the Culmer/Overtown Neighborhood Services Center, increasing the PSA value by \$173,245 and adding 705 calendar days of additional design and construction administration time.

**PROCEDURAL HISTORY**

**Prime Sponsor: N/A**

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

As this is an ESP project, pursuant to County Code, no committee review is required.

**ANALYSIS**

This item is requesting Board approval to authorize Change Order No. 1 to the PSA with CBRE | Heery for design services for the renovation of the Culmer/Overtown Neighborhood Services Center in order to:

- Increase the contract value by \$173,245;
- Extend the original contract completion date by 705 days to adjust the term with that of the anticipated construction completion; and
- Replenish the design contingency allowance up to \$26,100, inclusive of the \$173,245 increase to the PSA value.

According to the Administration, the increased funding will cover the cost of additional architectural and engineering consulting and contract administration, special inspection and project management support services required to successfully complete the project. The specific breakdown of the requested increase is as follows:

- Programming and Schematic Design/Construction Documents (\$65,000);
- Extended Construction Administration Services (\$27,000);
- Project Management Support Services (\$32,800);
- MEP Design Services (\$8,345);
- Special Inspector Services (\$14,000); and
- Contingency Replenishment (\$26,100).

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F6  
File No. 200606**

**Researchers: IL & VW   Reviewer: PGE**

The Administration justifies this Change Order as needed due to a series of unforeseen design conditions and regulatory Building Department requests that required redesign during construction, necessitating additional planning services and design changes rendered by CBRE | Heery. Additionally, several delays associated with the construction component of this project resulted in the project's non-completion. Specifically, on July 9, 2019, the awarded construction contractor was terminated due to the failure of the contractor to execute work and failure to provide the necessary manpower and resources needed to maintain the progress of the agreed upon work.

The total fiscal impact to the County under this Change Order is \$173,245. The funding source for this increase is Building Better Communities General Obligation Bond Program proceeds. The original budgeted amount for the renovation project is 7.5 million dollars.

The funding allocation for this project is submitted for Board approval annually through the budget process based on project status and projected expenditures. The FY 2019-20 Adopted Budget and Multi-Year Capital Plan includes Project #844020, which is described as to "renovate the existing Culmer/Overtown Neighborhood Service Center facility." The expenditure schedule for the project for FY 2019-20 shows \$776,000 in construction costs, \$15,000 for furniture fixtures and equipment, \$20,000 for planning and design, \$81,000 for project administration, \$774,000 for the contingency and \$22,000 for technology hardware and software. The total expenditures for the FY are \$1,688,000.

Figure 1 illustrates the total cost and time for this Change Order:

Legislation	Cost	Duration
R-196-13	\$502,000	1,460 + 146 (contingency time)
File No. 200606 (Pending Approval)	\$173,245	705
Total	\$675,245	2311

Pursuant to Resolution No. R-196-13, adopted on April 2, 2013, this project was added to the list of approved restoration projects under the County's Economic Stimulus Plan. The scope of work to be provided under this PSA includes architectural and engineering services, landscape architecture, and construction management services to renovate the existing 38,493 square-foot facility, which is comprised of three buildings. Services include modernizing the interior of the three buildings, improving exterior lighting, upgrading the existing parking lot, providing handicap accessibility to the buildings, and other necessary upgrades to meet current building code requirements.

The design of this project commenced on September 26, 2014 with a contract duration of 1,460 days. The construction was authorized to commence on July 24, 2017. On July 9, 2019, the awarded construction contractor was terminated. ISD is now working as the permit holder and qualifier to complete the renovation, which is estimated for completion in eight months.

The Culmer/Overtown Neighborhood Service Center project is located at 1600 NW 3rd Avenue, Miami, FL 33136, within District 3, represented by Commissioner Audrey M. Edmonson. The services provided by the Neighborhood Service Center, such as adult day care, elderly care planning, head start/early start, rental assistance for the homeless or evicted, and substance abuse treatment programs, are countywide.

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F6  
File No. 200606**

**Researchers: IL & VW    Reviewer: PGE**

OCA conducted a due diligence analysis on the awarded firm as documented in the table below.

Firm	Corporate Registration	DBPR	Tax Collector	Westlaw
CBRE   Heery (Former Name Sequiera & Gavarrete, Inc)	<p>Foreign Profit Corporation</p> <p>Active</p> <p>Principal Address: 3550 Lenox Road NE Suite 2300 Atlanta, GA 30326</p> <p>Date filed: 04/02/1975</p>	<p>Business address: CBRE Heery Inc 7650 Corporate Center Dr Ste 302 Miami, FL 33126</p> <p>Status: paid and current</p>	<p>Active</p> <p>Licensed for: Interior Design Business; Architect Business; Certified General Contractor; Registry; Construction Business Information</p>	<p><i>Whitfield v. Heery International, Inc.;</i> Case No. 1:18-CV-04171 filed August 31, 2018 in U.S. District Court, Northern District of Georgia (Atlanta) Allegation: Defendant discriminated against plaintiff employee on the basis of her age. Status: Case dismissed with prejudice and terminated on November 5, 2019.</p> <p><i>Gore v. Heery International, Inc.;</i> Case No. 1:17-CV-03761 filed September 26, 2017 in U.S. District Court, Northern District of Georgia (Atlanta) Allegation: Defendant discriminated against and wrongfully terminated plaintiff employee on account of his age. Status: Cased dismissed with prejudice on November 19, 2018.</p> <p><i>Pacini v. Heery International, Inc.;</i> Case No. 1:16-CV-01397 filed April 28, 2017 in U.S. District Court, Northern District of</p>

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F6**

**File No. 200606**

**Researchers: IL & VW Reviewer: PGE**

				Georgia (Atlanta) Allegation: Defendant discriminated against plaintiff employee on the basis of her age. Status: Case dismissed with prejudice and terminated on August 21, 2017.
--	--	--	--	--

Pursuant to Resolution No. R-421-16, a performance record verification was conducted by OCA in the Capital Improvements Information System (CIIS) on April 2, 2020. The verification revealed 3 performance evaluations in the CIIS for CBRE | Heery, yielding an average evaluation rating of 3.3 out of 4.0, with one evaluation scoring a 2.2 rating for a PSA contract (A00-PARK-02-5) in the amount of \$1.5 million for the Parks, Recreation, and Open Spaces Department. Under the former name, Sequieria & Gavarrete, Inc., the firm had 5 performance evaluations with an average evaluation rating of 3.9 out of 4.0. Taken together, under both names, the firm had 8 performance evaluations with an average evaluation rating of 3.7 out of 4.0.

**ADDITIONAL INFORMATION**

Miami-Dade County voters approved the \$2.9 billion Building Better Communities Bond Program on Nov. 2, 2004, which allowed Miami-Dade County to issue long-term bonds to fund more than 300 neighborhood and regional capital projects.

<https://www8.miamidade.gov/global/management/building-better-communities.page>

Miami-Dade County through its Community Action and Human Services Department (CAHSD) provides Community Resource Centers offering a variety of social services to economically disadvantaged individuals and families interested in achieving self-sufficiency from adult day care, computer training, to light bill assistance and rental assistance for the homeless or evicted.

[https://www.miamidade.gov/global/service.page?Mduid\\_service=ser1542309305236810](https://www.miamidade.gov/global/service.page?Mduid_service=ser1542309305236810)

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.2.7 of the County Code** sets forth the Economic Stimulus Ordinance.

[https://library.municode.com/fl/miami-dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.2.7ECSTOR](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.2.7ECSTOR)

**Chapter 287 of the Florida Statutes** 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)

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F6**

**File No. 200606**

**Researchers: IL & VW    Reviewer: PGE**

**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\\_ARTINGE\\_S2-10.4ACPRARENLAARLASUMASE](https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTINGE_S2-10.4ACPRARENLAARLASUMASE)

**Resolution No. R-196-13**, adopted by the Board on April 2, 2013, adds the pre-trial detention center renovation, the Miami-Dade County courthouse facade restoration and the Culmer/Overtown neighborhood service center renovation, to the county's economic stimulus plan approved list of projects.

<http://intra/gia/matter.asp?matter=130323&file=true&yearFolder=Y2013>

**Resolution No. R-421-16**, adopted by the Board on May 17, 2016, requires (1) the County Mayor to attach to all items recommending design and/or construction contract awards of \$1,000,000 or greater a list of all County contracts awarded in the previous three years to the recommended contractor and a summary of County evaluations of the recommended contractor's work; and (2) all County departments to complete contractor evaluations before closing out a contract and making final payment to a contractor.

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

**Administrative Order No. 3-39** sets forth the County's standard process for construction of capital improvements, acquisition of professional services, construction contracting, change orders and reporting.

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

**Administrative Order No. 3-28** sets forth the County's policy for classifying, tracking, monitoring, and reporting all change orders under County construction projects.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-28.pdf>

**Implementing Order No. 8-8** sets forth the County's Sustainable Buildings Program.

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

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F7  
File No. 200131**

**Researcher: MF   Reviewer: PGE**

RESOLUTION APPROVING FOUR NON-EXCLUSIVE CONTRACTS FOR THE MIAMI-DADE AVIATION DEPARTMENT HAZARDOUS MATERIAL REMOVAL SERVICES, REQUEST TO QUALIFY RTQ-01064 TO CHEROKEE ENTERPRISES, INC., CROSS ENVIRONMENTAL SERVICES INC., DECON ENVIRONMENTAL & ENGINEERING, INC., AND MCO ENVIRONMENTAL, INC. FOR A TOTAL AMOUNT NOT TO EXCEED \$15,000,000 FOR THE FIVE-YEAR TERM; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY TERMINATION PROVISIONS CONTAINED THEREIN; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD WORK ORDERS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PERIODICALLY DURING THE TERM OF THE POOL AND RESULTING CONTRACTS, AWARD ADDITIONAL CONTRACTS TO VENDORS WHO MAY AT THE TIME OF SUCH AWARD, MEET THE MINIMUM REQUIREMENTS ESTABLISHED IN THE SOLICITATION

**ISSUE/REQUESTED ACTION**

Whether the Board should approve four non-exclusive contracts for the Aviation Department's hazardous material removal services Request to Qualify (*RTQ-01064*) for a five-year term in an amount of up to \$15,000,000.

**PROCEDURAL HISTORY**

**Prime Sponsor:** None

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

The item was originally scheduled for the Tourism and the Ports (TAPS) Committee meeting of March 11, 2020. However, no action was taken because the meeting was cancelled.

**ANALYSIS**

The purpose of this item is to establish a long-term replacement award for the delivery of hazardous material removal services for the Aviation Department. Approval of the item establishes four non-exclusive contracts and delegates authority to the Administration to establish a prequalification pool under *RTQ-01064* in the amount of \$15,000,000 for a five-year term. The contract awardees are: Cherokee Enterprises, Inc., Cross Environmental Services, Inc., Decon Environmental & Engineering, Inc., and MCO Environmental, Inc. Note that the Mayor's memo is silent on whether the construction safety records for the recommended awardees were considered or reviewed as required by Resolution No. 1181-18.

The scope of work consists of providing hazardous materials removal services associated with demolitions and related construction services on an as-needed basis. The following is a list of the work to be performed:

- Asbestos abatement;
- Air quality remediation including mold remediation;
- Contaminated soil removal, transportation and disposal;
- Demolition and reconstruction;
- Removal and installation of storage tank systems;
- PCB transformer and lead paint removal; and
- Petroleum hazardous material handling.



**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F7  
File No. 200131**

**Researcher: MF   Reviewer: PGE**

The fiscal impact is \$15,000,000 for a five-year term. The mayoral memorandum does not set forth the slated projects covered by the requested allocation. The prior contract (*ITB-MDAD-03-11*) was established pursuant to Resolution No. R-733-12 on September 18, 2012 for a five-year term in an amount of \$15,037,500 and expired on October 9, 2019. The awarded vendors under that contract were: Cherokee Enterprises, Inc., DPC General Contractors, Inc., Decon Environmental & Engineering, Inc., and MCO Environmental, Inc. Of those vendors, Cherokee Enterprises, Decon Environmental and MCO Environmental are being recommended under the present item.

To prequalify for the pool, the vendor shall provide and maintain at least one of the following:

- A Certificate of Registration as a General Contractor issued by the State of Florida Construction Industry Licensing Board;
- A Certificate of Registration as a General Contractor issued by the State of Florida Construction Industry Licensing 489.117; and, hold a Certification of Competency as a General Contractor issued by the Miami-Dade Construction Trades Qualifying Board; and
- A Certificate of Registration as a Building Contractor issued by the State of Florida Construction Industry Licensing 489.117; and hold a Certificate of Competency as a Sub-General or Building Contractor issued by the Miami-Dade Construction Trades Qualifying Board.

Vendors must also provide evidence and maintain all of the following licenses or certifications:

- An Asbestos Contractor License pursuant to the provision of Florida Statutes Section 455.303;
- A Florida Certified Asbestos Supervisor on staff locally;
- An Environmental Protection Agency (EPA) Accredited Contractor that is certified to engage in lead based paint activities;
- A State Certified Mold Remediator; and
- A National Air Duct Cleaners Association (NADCA) Certified HVAC System Remediator and Air Duct Cleaning Specialist.

Note that all work awarded under the pool shall be assigned via Project Order.

This repurchase was advertised on August 28, 2019 and closed on October 15, 2019, the “bid open date.” Five vendors responded to the solicitation, of which four are being recommended for award. One vendor – DPC General Contractors Inc. – was deemed nonresponsive because the company does not carry the required general contractor’s license. The nonresponsive opinion has not been included in the agenda package as required by Implementing Order 2-13. DPC was an awarded vendor under the prior contract.

Moreover, as per ISD’s Small Business Development Division, Decon Environmental & Engineering (one of the four vendors being recommended under this solicitation) achieved zero percent of the required 10% SBE-Con goal established under the previous contract. The vendor currently has a deficit of \$103,624 on that contract. Deficits in SBE-Con goals are subject to an SBE-Con make up requirement on a future contract and a monetary penalty equal to a percentage of the deficit.



**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F7  
File No. 200131**

**Researcher: MF    Reviewer: PGE**

Regarding the timeliness of the reprourement of this contract, note that the current contract (*ITB-MDAD-03-11*) expired on October 9, 2018 and received a one-year extension through October 9, 2019. The item is silent regarding the specific timeline of the reprourement solicitation and does not address why the contract was able to expire prior to the establishment of a replacement as required by County policies, i.e., Resolution Nos. R-718-17 and R-515-19.

Illustration 1 shows the type of work typically performed during the asbestos abatement and remediation services process.

**Illustration 1**



Pursuant to an ISD SBD compliance review memorandum dated November 13, 2019, the contract measures established for this project are SBE-Con 5%, SBE-Good 0.37% and SBE-Service 0.63%. There is also a CWP goal of 10%.

OCA conducted a search on the Business Management Workforce System's Certified Vendor Directory on March 6, 12 and April 2, 2020. for the following commodity codes: 92645 (Hazardous Material & Waste Services), 92678 (Remediation Services, Environmental-Waste & Mold), 96127 (Decontamination Services), 562910 (Asbestos removal contractors), 562910 (Remediation and cleanup of contaminated buildings, mine sites, soil or ground water), 562910 (Site remediation services), 238990 (All other specialty trade contractors), 97500 (Rental or lease services of agricultural, aircraft, airport, automotive, marine, and heavy equipment), 34500 (First Aid and safety equipment), 48500 (Janitorial supplies, general line), 61500 (Office supplies) and 562910 (Mold remediation services). BMWS retrieved 110 firms with 136 certifications.

Listed below are some of the local SBEs identified. An asterisk (\*) identifies the awarded vendor pertinent to this item.

- 911 Protection Corp. Hialeah Gardens, FL SBE-G&S
- A & B Hardware, Inc. dba A & B Hardware Lumber, Inc. Miami, FL SBE-G&S
- AA Equipment & Services, Inc. Miami, FL SBE-G&S
- AAP Construction Group Corp. Miami Lakes, FL SBE-G&S
- Advanced Concrete & Pavers, Inc. Miami, FL SBE-G&S
- Advanced Filing Systems, Inc. dba Florida Office Systems Medley, FL SBE-G&S
- Agile Courts Construction Company, Inc. Miami, FL SBE-G&S

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F7  
File No. 200131**

**Researcher: MF    Reviewer: PGE**

- BioResponse Corp., dba BioResponse Restoration, Miami, FL SBE-G&S
- ECO Solution Group, LLC Miami, FL SBE-G&S
- MCO Environmental, Inc.\* Miami, FL SBE-G&S
- Oasis Solutions of Florida, LLC Miami Lakes, FL SBE-G&S
- The Chappell Group, Inc. Miami Shores, FL SBE-G&S
- United Medical Industries Corp. Miami, FL SBE-G&S
- Vinward Construction Corp. Miami, FL SBE-G&S

OCA performed due diligence on the awarded vendors on the following dates: March 6, 9 and 10, 2020 and April 1, 2020; below are the findings. Of the four awarded firms, one is SBE and three are incumbents and identified accordingly.

Awarded Firm(s)	Corporate Registration	Tax Collectors Office	Florida DBPR	Westlaw
Cherokee Enterprises Inc.  (Incumbent)	Florida Profit Corporation  Active  Principal Address: 12981 NW 113 Ct. Medley, FL  Filed: January 25, 1999	Business Address: 8765 NW 100 St. Medley, FL  Status: Paid and Current	Active  Licensed for: Certified General Contractor; Certified Pollutant Storage System Contractor; Geology Business; Certified Underground Utility and Excavation Contractor; Asbestos Business; Certified Mechanical Contractor; Certified Business Information	No relevant cases
Cross Environmental Services, Inc.	Florida Profit Corporation  Active  Principal Address: 39646 FIG Ave. Zephyrhills, FL  Filed: February 10, 1988	Status: Paid and Current	Active  Licensed for: Construction Business Information; Certified Mechanical Contractor	<i>Sietech, Inc. v. Cross Environmental Services, Inc., et al.</i> Case No. 5:16-CV-10943 filed in the U.S. District Court, Eastern District of Michigan (Ann Arbor) on March 16, 2016. Allegation: Defendant breached the subcontract by failing to perform its work and failing to make payment to the plaintiff. Case status: Dismissed with prejudice on Feb. 27, 2019.

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F7  
File No. 200131**

**Researcher: MF    Reviewer: PGE**

Decon Environmental & Engineering, Inc.  (Incumbent)	Florida Profit Corporation  Active  Principal Address: 2652 NW 31 Ave. Ft. Lauderdale, FL  Filed: October 13, 1987	No account on file	Active  Licensed for: Asbestos Business; Course Sponsor; Certified Pool/Spa Contractor; Construction Business Information; Mold Related Services CE Course; Course Sponsor	<i>Medina, Crystal Angelica v. Construction Services by Martinez Inc., et al.</i> Case No. 2018CA012621 filed in the Fifteenth Judicial Circuit, Palm Beach County on October 5, 2018. Allegation: Defendants negligently failed to maintain premises in a safe condition so that plaintiff tripped and fell resulting in injuries. Case status: Pending court action; as of January 9, 2020, the parties are to hold a case management conference between 60 to 90 days of this last court action.
MCO Environmental, Inc.  (SBE & Incumbent)	Florida Profit Corporation  Active  Principal Address: 7275 NW 64 St. Miami, FL  Filed: May 26, 1988	Business Address: 7275 NW 64 St. Miami, FL  Status: Paid and Current	Active  Certified for: Certified Pollutant Storage System Contractor; Certified General Contractor; Asbestos Business	No relevant cases

OCA also reviewed the performance history of the recommended awardees in the Capital Improvements Information System on April 2, 2020 and found the following as depicted in Table 1 below.

**Table 1**

Contractor	Evaluation Count	Average Evaluation
Cherokee Enterprises, Inc.	124	3.3
Cross Environmental Services, Inc.	7	3.8
Decon Environmental & Engineering, Inc.	8	3.9
MCO Environmental, Inc.	34	3.6

**ADDITIONAL INFORMATION**

OCA accessed the website of the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA), which regulates asbestos exposure in all work as defined in federal code 29 CFR 1910. Additional information may be accessed here:

<https://www.osha.gov/laws-regs/regulations/standardnumber/1926/1926.1101>

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F7  
File No. 200131**

**Researcher: MF   Reviewer: PGE**

Based on information found on the recommended vendors' websites, below is a brief business profile of each company.

- ❖ Cherokee Enterprises – Among the company's recent contracts are the Palm Beach County Repair of Fuel Systems Equipment and the Pepsi Fuel Island Demolition. <https://www.cherokeecorp.com/>
- ❖ Cross Environmental Services, Inc. – Founded in 1988, the company is one of the largest owner-operated full service environmental, asbestos abatement and demolition firms in Florida. <https://www.crossenv.com/>
- ❖ Decon Environmental & Engineering, Inc – The company provides environmental remediation for mold and abatement for asbestos, among other services. <https://www.decon.com/>
- ❖ MCO Environmental, Inc. – Established in 1988, the company is a family-owned business and certified Minority and Woman Owned Business Enterprise. <http://mcoenvironmental.com/>

**APPLICABLE LEGISLATION/POLICY**

**Section 2-11.16 of the Code of Miami-Dade County** (Country construction), a) In addition to the other elements of the term "responsible bidder" in law or in the discretion of the Board of Commissioners of Miami-Dade County, as applies to competitively bid County contracts in excess of one hundred thousand dollars (\$100,000.00) for the construction, alteration, and/or repair, including painting or decorating, of public buildings or public works, shall mean a bidder who provides documented proof in its bid that the various classes of laborers and mechanics will be paid no less than the specified overall hourly rates as set forth in the contract specifications. All leases and contracts entered into after the effective date of this ordinance which provide for privately funded construction, alteration or repair of buildings or improvements located on County-owned land shall require laborers and mechanics performing such work be paid no less than the overall hourly rates required on competitively bid County construction contracts under this Section unless specifically exempted below. Fees for monitoring compliance with this Section shall be charged as provided in the most current County-wide Budget as follows: for County construction contracts, the Small Business Development shall charge the using department therefor; for leases and contracts which provide for privately funded construction, alteration or repair of buildings or improvements on County owned land, the party contracting with the County shall be charged therefor. (b) The specifications for each competitively bid County contract in excess of one hundred thousand dollars (\$100,000.00) for the construction, alteration and/or repair, including painting or decorating, of public buildings or public works shall specify an initial overall per hour rate to be paid to each craft or type of employee necessary to perform the contract work as listed in local area nondiscriminatory negotiated contracts (hereinafter referred to for purposes of this subsection (b) as "negotiated contracts") between organizations which represent employees and contractors. In ascertaining the initial overall per hour rate to be paid, the minimum standard shall be the combined overall dollar value on an hourly basis of the wages (paid as set forth below) and of the hospitalization, medical, pension and life insurance benefits (paid as set forth below) for such craft or type of employee under negotiated contracts in effect as of January 1st of the calendar year in which said proposal bid is expected to be advertised, or, in the case of a lease or contract providing for privately funded construction on County-owned land subject to this Section, under the negotiated contracts in effect as of January 1st of the calendar year in which said proposed lease or contract is expected to be executed. Thereafter, the specifications shall provide that the overall per hour rate to be paid for work performed under the contract during each subsequent calendar year shall be the overall per hour rate in effect as of January 1st, of the year in which the work is performed. If a particular craft or type of employee is not listed in such negotiated

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F7  
File No. 200131**

**Researcher: MF   Reviewer: PGE**

contracts, in ascertaining the initial overall per hour rate to be paid those employees, the minimum standard shall be the combined overall dollar value on an hourly basis of the "basic hourly rate of pay" (as defined in 29 CFR 5.24) (paid as set forth below) and of the fringe benefits payments (paid as set forth below) for hospitalization, medical pension and life insurance benefits for such craft or type of employee under the Secretary of Labor's wage determination (made pursuant to the provisions of the Davis-Bacon Act) in effect for Miami-Dade County, Florida, as of the end of the calendar year in which the proposed bid is expected to be advertised. The foregoing and the provisions of Section 2-11.16(e) notwithstanding, where not otherwise precluded by state or federal law, the overall per hour rate shall be the higher rate under this Section 2-11.16 or the rate of wages to be paid under the requirements of the Davis-Bacon Act; provided, further, that the overall per hour rate shall not be the higher rate if the federal government requires the County as a condition of receiving federal funds for a project to pay no more than the wages as determined by the U.S. Department of Labor under the Davis-Bacon Act on project contracts.

[https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-11.16COCOCO](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-11.16COCOCO)

**Section 2-1701 of the Code of Miami-Dade County, (Community Workforce), A. *Application:*** Except where state, or federal laws or regulations mandate to the contrary, the provisions of this ordinance shall require review of Capital Construction Contracts/Work Orders for public improvements located in Designated Target Areas to determine the appropriateness of applying a local workforce goal requiring that a minimum of 10% of the persons performing the construction trades and labor work under the contract be residents of Designated Target Areas as set forth in this ordinance. The provisions of this ordinance shall apply to all such Capital Construction Contracts/Work Orders entered into and issued by the County, its departments and agencies including the Public Health Trust or funded in whole or in part by County funds or with private funds on County property. The foregoing notwithstanding, the Board may by Implementing Order provide that Contracts and/or Work Orders below a certain dollar amount shall not be subject to the requirements of this ordinance. **B. *Establishment of local workforce goal:*** A local workforce goal may be applied to a Capital Construction Contract/Work Orders subject to review under this section based on the Scope of Work the relative local unemployment rate, and an estimate of the trades and workforce necessary to perform construction trades work and labor under the contract. The RC is responsible for recommending to the Mayor or the Mayor's Designee whether a workforce goal should be applied to a Capital Construction Contract/Work Order. The contract language for a Capital Construction Contract/Work Order to which a local workforce goal is applied shall specify that a certain percentage of the workforce performing construction trades and labor work under such contract be residents of Designated Target Areas as provided herein. **C. *Workforce Plan:*** Bid and proposal documents for Capital Construction Contracts/Work Order to which a local workforce goal has been applied shall require the contractor, to develop and submit to the County, within fifteen (15) days of notification of award of the contract, a Workforce Plan outlining how the goal will be met and containing all of the information and elements required by this Section. The Plan shall specify the total number of persons that will be used by the contractor (as well as by all subcontractors) to perform all of the construction trades and labor work of the contract, broken down by trade and labor category, minimum qualifications for each category, and the number of persons to be utilized in each category. The Plan shall identify by name, address and trade category of all persons proposed to perform work under the contract currently on the contractor's (or on any proposed subcontractor's) payroll who reside in any Designated Target Area. The Plan shall also indicate the number of positions shown on the work, trade categories and minimum qualifications therefore of the positions to be hired by the contractor (or by any proposed subcontractors) to perform the construction trades and labor work under the contract. The County will not enter into the contract until it receives the contractor's Workforce Plan and deems the Plan acceptable. The contract language of a contract subject to a local workforce goal shall provide that in the event that at contract completion, the contractor fails to comply with the established local workforce goal, liquidated damages equal to a minimum of \$3,000.00 per position or the salary that would be payable for such position had the person(s) been



**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F7  
File No. 200131**

**Researcher: MF   Reviewer: PGE**

hired for the position as listed on the approved workforce plan to include all approved revisions to the workforce plan, whichever is greater shall be withheld from the contractor's final payment as liquidated damages and be applied to pay part of the costs of the Community Workforce Program under this ordinance. In calculating the salary, a minimum of eight (8) hours per day times (i) the position's wage rate or (ii) the applicable Responsible Wages and Benefits Schedule wage rate will be used. An updated Plan shall be submitted to SBD on a monthly basis. In the event that during the contract time a new hire or a person identified in the Plan as already on the contractor's (or any proposed subcontractor's) payroll to meet the local workforce goal is replaced, Miami-Dade County will require the contractor to immediately contact SBD identifying the replacement. Notwithstanding anything to the contrary above, the contractor may be relieved from the requirements of this ordinance, in part or in whole, if such contractor can demonstrate to SBD that it has utilized its best efforts to achieve the goal in accordance with the prescribed Implementing Order. D. *Goal compliance:* The following shall count towards compliance with a local workforce goal. Within 15 days of approval of the Workforce Plan, the contractor shall complete and submit a Job Order Request Form (in the form attached to Resolution No. R-1145-99, the Clearinghouse for posting of job opportunities) to the Employee Relations Department for each position designated in the approved Workforce Plan for recruitment. The employer/contractor Information portion of the Job Order Request Form shall provide the relevant information for the contractor or subcontractor who will employ the new hire. Persons designated in the approved Workforce Plan as already on the contractor's (or on any proposed subcontractor's) payroll at the time of bid submittal who reside in the DTA in which the public improvement is located and who perform any construction trades work or labor of the contract shall count towards meeting the local workforce goal. Each New Hire residing in the DTA where the public improvement project is located who is hired to any position designated in the approved Workforce Plan who performs construction trades or labor work of the contract for a minimum duration of one hundred twenty (120) days or the length of the job whichever is less, shall also count towards meeting the goal. Persons that reside in a DTA other than the DTA in which the public improvement is located, may be counted towards meeting the goal provided the first priority in hiring for such position was given to persons residing in the Designated Target Area in which the public improvement is located, and when the hiring party as well as the WDOs and WROs have demonstrated to SBD that they have been unable to identify a qualified resident of the Designated Target Area in which the public improvement is located. In the event that at contract completion, goal compliance cannot be determined due to the contractor's failure to submit and obtain SBD approval for a revised Workforce Plan, \$10,000.00 shall be withheld from the contractor's final payment as liquidated damages, and applied to pay costs of the Community Workforce Program. E. *Exceptions:* Due to the regional significance of Airport and Seaport public improvement projects as sources of employment, contractors performing work at the Airport and Seaport may hire residents of DTAs other than the DTA where the project is located and are not required to give first priority to persons residing in the DTA where the project is located. Persons designated in the approved Workforce Plan as already on the Airport or Seaport contractor's (or on any proposed subcontractor's) payroll at the time of bid submittal who reside in any DTA and who perform any construction trades work or labor of the contract shall count towards meeting the local workforce goal. Each New Hire residing in any DTA who is hired to any position designated in the approved Workforce Plan who performs construction trades or labor work on the Airport or Seaport Capital Construction Contract for a minimum duration of one hundred twenty (120) days or the length of the job whichever is less, shall also count towards meeting the goal.

[https://library.municode.com/fl/miami-dade-county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTCXIICOWOPR\\_S2-1701COWOPR](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTCXIICOWOPR_S2-1701COWOPR)

**Section 2-11.17 of the Code of Miami-Dade County** (Residents First Training and Employment Program), *Program Scope.* (a) The provisions of this ordinance shall apply to County Construction Contracts which are subject to Section 2-11.16 of the Code of Miami-Dade County, Florida (the "Code"), entered into after the effective date of the ordinance by the County, and its Departments. (b) 11.16 The provisions of this Section shall be applied to reinforce and

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F7  
File No. 200131**

**Researcher: MF    Reviewer: PGE**

complement the provisions of Sections 2-11.16 and of the Code. (4) *General Program Requirements.* (a) Except where state or federal laws or regulations mandate to the contrary, all contractors and subcontractors of any tier performing on a County Construction Contract shall satisfy the requirements of this Section. (b) As a condition of submitting a bid or proposal for a County Construction Contract, a general contractor, construction manager or other contractor seeking award of a contract shall submit a Responsible Contractor Affidavit with its bid or proposal. (c) The Responsible Contractor Affidavit shall be completed on a standard form prepared by the County and shall reference the County Construction Contract for which a bid or proposal is being submitted by name and contract or project number. Any agency, department, or other party responsible for awarding a County Construction Contract shall require contractors to use the standard form prepared by the County. (d) A County Construction Contract shall not be executed until all requirements of this Section have been fulfilled. (e) Prior to awarding or approving future County Construction Contracts, the County shall review prior work performed by proposed contractors and subcontractors, including their compliance with the terms of the Responsible Contractor Affidavit. (f) The County shall provide notice to any contractor who fails to submit a Responsible Contractor Affidavit, that said contractor has forty-eight (48) hours from the time of notification to submit a Responsible Contractor Affidavit or its bid or proposal will be deemed nonresponsive and disqualified.

[https://library.municode.com/fl/miami-dade-county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-11.17REFITREMPR](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-11.17REFITREMPR)

**Section 2-285 of the Code of Miami-Dade County** (County Manager's authority as to contracts for the Aviation Department), As to any Aviation Department contract to which Sections 2-8.2, 2-8.3 or 2-8.4 are applicable, the County Manager may advertise any competitive contract in which appropriate contract measures as provided in Sections 2-8.2 (3)(c), 2-8.2.3 (3)(c), and 2-8.2.4(3)(c) have been specified; issue bid and proposal documents including addenda thereto; receive, open and review bids and proposals; issue notices to proceed after award; advertise, select committees for, and negotiate professional services agreements under Section 2-10.4 of the Code; issue amendments to any professional services agreement after award by the Board, including any professional services agreement that relates to a construction or project contract which has been increased in scope hereunder or by approval by the Board (subject, however, to any limitations on such authority as may be contained in the statutory and code provisions applicable to competitive selection of professional services); and perform all the foregoing for professional services agreements not subject to Section 2-10.4; provided however, that the authority in this subsection (1) is subject subsection (4) of this section; (2) The County Manager may provide in the bid specifications and contract documents that the contract time may be extended and that liquidated damages for failure to comply therewith may be waived before or after the specified date for completion of the contract; (3) The County Mayor may negotiate and settle contractor claims, and issue change orders for additional work under contracts and amendments for professional services agreements; as to any specific contract or agreement, change orders or amendments thereto shall not exceed five hundred thousand dollars (\$500,000.00) in cumulative dollar amount and shall not exceed fifteen (15) percent of the contract price in cumulative percentage amount; provided however, that the foregoing limitation shall not apply to any change order or amendment related to environmental remediation or health requirements, and the foregoing change orders and amendments shall require ratification by the Board; provided further, that the County Mayor may reduce in any amount the scope and compensation payable under any contract and grant compensable and non-compensable time extensions thereunder. Any County contract or amendment with small business measures is required to meet at least eighty-five percent (85%) of the small business goals applicable to the tasks and value of the portion(s) of the contract work performed to date before a change order or contract amendment may be considered for approval, unless the following explanatory information as delineated has been provided. Except for non-compensatory time extensions, items with small business measures which failed to meet this minimum threshold or equivalent percentage must clearly explain (i) the circumstances as to why the goal(s) was not achieved, (ii) steps taken by the prime contractor(s) and the contracting

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F7  
File No. 200131**

**Researcher: MF   Reviewer: PGE**

department to meet the goal(s), and (iii) how the small business goal(s) will be achieved in the change order or contract amendment, or the proposed change order or contract amendment cannot be considered for approval; (3.1) The provisions of subsection (3) above notwithstanding, the County Mayor shall have the authority to issue change orders or amendments provided that the cumulative effect of any such change orders and amendments to a specific contract or agreement does not exceed twenty (20) percent of the original amount of such contract or amendment, and further provided that the consulting engineer (under the existing trust indenture), the Aviation Director, and the Miami-Dade Aviation Consultants (DAC) concur in such action, that the change order or amendment is submitted to the Board for ratification within one hundred eighty (180) days. Any County contract or amendment with small business measures is required to meet at least eighty-five percent (85%) of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment be considered for approval. Except for non-compensatory time extensions, items with small business measures which failed to meet this minimum threshold or equivalent percentage must clearly explain (i) the circumstances as to why the goal(s) was not achieved, (ii) steps taken by the prime contractor(s) and the contracting department to meet the goal(s), and (iii) how the small business goal(s) will be achieved in the change order or contract amendment, or the proposed change order or contract amendment cannot be considered for approval. The County Mayor shall report on a monthly basis to the Aviation Operations Committee of the Board on his actions taken in exercising the authority delegated to him hereunder. The County Mayor shall not have delegated authority hereunder to issue any change order or amendment that is the result of design errors or omissions, and any such change order or amendment shall require prior Board approval; (4) All actions taken by the County Manager under this section shall not require review by any Committee, but the County Manager shall obtain approval of the Board to execute any contract or agreement submitted under subsection (1); (5) For any lease with an airport tenant, the County Manager may authorize reimbursement for construction and other costs for the tenant's relocation of all or a portion of its premises, preparation of premises for occupancy, or making emergency repairs, provided the tenant obtains competitive bids for construction work, follows the procedures in Section 2-10.4 for obtaining professional services covered therein, complies with contract measures as approved by the County Manager, and complies with direction otherwise provided by the Aviation Department; (6) Subject to ratification of the Board, the County Manager may execute all standard form federal grant documents or state joint participation agreements, including acceptance of grant or joint participation commitments required to be imposed by federal or state law as a condition to the County's receiving grant or joint participation benefits; (7) The County Manager may delegate authority for execution by the Aviation Director or his immediate designee of actions and authorizations permitted hereunder; (8) For all Aviation Department contracts subject to Section 2-8.3 of the Code, the County Manager may waive the provisions of Section 2-8.3 to the extent provided in the solicitation documents; and (9) The County Manager shall prepare and submit to the County Commission for approval, an Administrative Order which shall establish procedures to expedite the review and approval of change orders, including total quality management techniques and concurrent review by departmental and consultant staff.

[https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTXXXIIIVDE\\_S2-28SCOMAAUCOAVDE](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTXXXIIIVDE_S2-28SCOMAAUCOAVDE)

**Administrative Order 3-63**, sets forth the County's process for Employ Miami-Dade, an initiative in which Miami-Dade County, CareerSource South Florida, Neighbors and Neighbors Association, and other local agencies partner to offer construction certification training to help put eligible Miami-Dade County residents back to work. The goal of the Employ Miami-Dade initiative is to provide skill training and employment opportunities for participants.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-63.pdf>



**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F7  
File No. 200131**

**Researcher: MF   Reviewer: PGE**

**Implementing Order 3-41**, sets forth the County’s process for the Small Business Enterprise (“SBE”) Program shall apply to all County and Public Health Trust contracts for the purchase of goods (“SBEGoods”) or services (“SBE-Services”), respectively, including professional services other than architectural, engineering, architectural landscape and land surveying and mapping professional services of seven hundred thousand dollars (\$700,000.00) or less, governed by Florida Statutes Section 287.055. The SBE Program shall not apply to construction or construction management services of seven hundred thousand dollars (\$700,000.00) or less; purchase, leases or rental of real property; licenses and permits; concessions; franchise agreements; or contracts for investment banking services.

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

**Implementing Order 3-22**, sets forth the County’s process for the following: A. 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. B. This Implementing Order applies to all construction projects regardless of project or contract size. C. Applicability to the public health trust: The application of contract measures to construction services purchased by the Public Health Trust shall be governed by this Implementing Order.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO03-22.pdf>

**Implementing Order 2-13**, sets forth the 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 No. 3-38** sets forth the County’s processes for the purchase of goods and services including professional services (other than those professional services whose selection is governed by Section 287.055 F.S. and Secs. 2-10.4 and 2-10.4.01 of the Code. It establishes the roles and responsibilities of ISD, methods of purchasing goods and services, and the authority to award contracts.

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

**Resolution No. 515-19**, adopted May 7, 2019, changed the deadline to seek approval for award of successor contracts or extensions of existing contracts from 30 days to 60 days prior to expiration.

<http://intra/gia/matter.asp?matter=190943&file=true&yearFolder=Y2019>

**Resolution No. R-828-19**, adopted July 23, 2019, established a County policy for disclosure of past and present discrimination lawsuits in solicitation submissions; requiring the following: 1) implementing a policy of disclosure of discrimination lawsuits; 2) requiring in competitive and non-competitive solicitation documents the disclosure of lawsuits that include allegations of discrimination and dispositions of such lawsuits for a 10-year period through the date of the solicitation or non-competitive award recommendation; and 3) provide a report to the Board.

<http://www.miamidade.gov/govaction/matter.asp?matter=190936&file=true&fileAnalysis=false&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% of the pool members are local businesses.

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

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8F7**  
**File No. 200131**

**Researcher: MF   Reviewer: PGE**

**Resolution No. 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; 2) confirm the safety records of recommended contractors and first-tier subcontractors were considered and report any instance where the safety record may adversely affect a finding of contractor responsibility in award memorandum to the Board; and 3) provide a report to the Board within 60 days.

<http://intra/gia/matter.asp?matter=182536&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 Lists of Prequalified Vendors for the purchase of goods and/or services; and directs the Mayor or their designee, on a quarterly basis to identify in writing to the Office of Commission Auditor those contracts and prequalified vendor lists that are set to expire no later than 18 months prior to expiration.

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

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

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

**Resolution No. 140-15**, adopted February 3, 2015, directs the County Mayor or designee to conduct a full review, prior to re-procurement of replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the County, to include information in recommendations to the Board, and to consult with the Small Business Development Division regarding solicitation and contract language.

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

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

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

**Resolution No. R-716-12**, adopted September 4, 2012, requires identification of a firm's Small Business Enterprise (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-733-12**, adopted September 18, 2012, approves four non-exclusive contracts for the Miami-Dade Aviation Department, hazardous material removal contract, project number ITB No. MDAD-03-11 to Cherokee Enterprises, Inc., DPC General Contractors, Inc., Decon Environmental & Engineering, Inc., and MCO Environmental, Inc., for a maximum shared contract amount of \$15,037,500 for a term of five years.

<http://intra/gia/matter.asp?matter=121742&file=true&yearFolder=Y2012>

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 8L1  
File No. 200308**

**Researcher: CB   Reviewer: PGE**

RESOLUTION REAPPOINTING DAVID A. CHIN, PHD, TO THE ENVIRONMENTAL QUALITY CONTROL BOARD FOR ANOTHER THREE-YEAR TERM

**ISSUE/REQUESTED ACTION**

N/A

**PROCEDURAL HISTORY**

**Prime Sponsor:** Infrastructure and Capital Improvements Committee

**Department/Requester:** Regulatory and Economic Resources

The item was forwarded to the BCC with a favorable recommendation by the Infrastructure and Capital Improvements Committee at its March 10, 2020 meeting.

**ANALYSIS**

OCA completed the required background research regarding the reappointment of David A. Chin, PhD, to the Environmental Quality Control Board for another three-year term, noting no adverse findings.

**APPLICABLE LEGISLATION**

**Resolution No. R-636-14**, adopted on July 1, 2014, requires 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).

<http://intra/gia/matter.asp?matter=141238&file=true&yearFolder=Y2014>

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 11A1  
File No. 200132**

**Researcher: CB   Reviewer: PGE**

RESOLUTION WAIVING, BY A TWO-THIRDS VOTE OF THE FULL MEMBERSHIP OF THE BOARD, THE RESIDENCY REQUIREMENT OF SECTION 2-11.38 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, FOR ARTHUR ROSENBERG, BOARD MEMBER OF THE MIAMI-DADE COUNTY LIVING WAGE COMMISSION

**ISSUE/REQUESTED ACTION**

N/A

**PROCEDURAL HISTORY**

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

**Department/Requester: N/A**

This item was forwarded to the BCC with a favorable recommendation by the Health Care and County Operations Committee at its February 13, 2020 meeting. Subsequently, the item was deferred at the March 3, 2020 meeting of the BCC.

**ANALYSIS**

OCA completed the required background research regarding waiving the residency requirement for Arthur Rosenberg, board member of the Miami-Dade County Living Wage Commission and noted no adverse findings.

**APPLICABLE LEGISLATION**

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

<http://intra/gia/matter.asp?matter=141238&file=true&yearFolder=Y2014>

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 11A2  
File No. 200128**

**Researcher: CB   Reviewer: PGE**

RESOLUTION WAIVING, BY A TWO-THIRDS VOTE OF THE FULL MEMBERSHIP OF THE BOARD, THE RESIDENT AND ELECTOR REQUIREMENTS OF SECTION 2-11.38 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA FOR MIAMI-DADE COUNTY ASIAN AMERICAN ADVISORY BOARD MEMBER VIVEK “VICTOR” SWAROOP; AND REAPPOINTING VIVEK “VICTOR” SWAROOP TO THE MIAMI-DADE COUNTY ASIAN AMERICAN ADVISORY BOARD

**ISSUE/REQUESTED ACTION**

N/A

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Barbara J. Jordan, District 1**

**Department/Requester: None**

This item was forwarded to the BCC with a favorable recommendation by the Health Care and County Operations Committee at its February 13, 2020 meeting. Subsequently, the item was deferred at the March 3, 2020 meeting of the BCC.

**ANALYSIS**

OCA completed the required background research regarding waiving the residency and elector requirements for Vivek “Victor” Swaroop and reappointing Vivek “Victor” Swaroop to the Miami-Dade County Asian American Advisory Board, noting no adverse findings.

**APPLICABLE LEGISLATION**

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

<http://intra/gia/matter.asp?matter=141238&file=true&yearFolder=Y2014>

**BCC Meeting:  
April 7, 2020  
Research Notes**

**Item No. 11A13  
File No. 200545**

**Researcher: CB   Reviewer: PGE**

RESOLUTION URGING THE CITY OF HIALEAH TO CODESIGNATE THAT PORTION OF EAST 1<sup>ST</sup> AVENUE FROM EAST 8<sup>TH</sup> STREET TO EAST 9<sup>TH</sup> STREET/NORTHWEST 62<sup>ND</sup> STREET AS “MODESTO PEREZ WAY”; APPROVING SUCH CODESIGNATION

**ISSUE/REQUESTED ACTION**

N/A

**PROCEDURAL HISTORY**

**Prime Sponsor: Vice Chairwoman Rebeca Sosa, District 6**  
**Department/Requester: N/A**

**ANALYSIS**

OCA completed the required background research on “Modesto Rafael Perez” and noted no adverse findings. Pursuant to Ordinance No. 18-79, OCA has determined that there are no prior designations for “Modesto Rafael Perez.” Pursuant to Ordinance No. 19-11, OCA has verified that “Modesto Rafael Perez” is, in fact, living.

**APPLICABLE LEGISLATION**

**Ordinance No. 13-29**, adopted on April 2, 2013, requires OCA to conduct background research on any person, organization, place or thing that is the subject of a naming, renaming or codesignation item or an item approving the codesignation of state or municipal roads and prepare a report detailing the findings of said research prior to the Commission meeting during which the item is scheduled to be considered.

<http://intra/gia/matter.asp?matter=130511&file=true&yearFolder=Y2013>

**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.

<http://intra/gia/matter.asp?matter=181730&file=true&yearFolder=Y2018>

**Ordinance No. 19-11**, adopted on February 5, 2019, relates to the naming, renaming or codesignation of Miami-Dade County roads, facilities, or property and the approval of state or municipal road codesignations, requiring the Commission Auditor to include in its report whether the person to be honored is living or deceased.

<http://intra/gia/matter.asp?matter=182789&file=true&yearFolder=Y2018>