



**OFFICE OF THE COMMISSION AUDITOR
MIAMI-DADE BOARD OF COUNTY COMMISSIONERS**

**COMMISSION AUDITOR'S
INFORMATIONAL RESEARCH**

**PARKS, RECREATION AND CULTURAL AFFAIRS
COMMITTEE MEETING**

**July 15, 2020
2:00 P.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

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Research Notes**

Item No. 3A, 3B & 3C

File No. 201252, 201255 & 201257

Researcher: JFP Reviewer: PGE

RESOLUTION AUTHORIZING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING ADDITIONAL TIME OF ONE YEAR AND ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT NOT TO EXCEED \$212,420.00 TO CONTRACT NO. RFP716-3(3) FOR THE PURCHASE OF SECURITY GUARD SERVICES FOR SPECIAL TAXING DISTRICTS FOR THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION OR EXTENSION PROVISION, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

RESOLUTION AUTHORIZING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING ADDITIONAL TIME OF ONE YEAR AND ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT NOT TO EXCEED \$3,816,422.00 TO CONTRACT NO. RFP717-3(3) FOR THE PURCHASE OF SECURITY GUARD SERVICES FOR SPECIAL TAXING DISTRICTS FOR THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION OR EXTENSION PROVISION, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

RESOLUTION APPROVING REJECTION OF ALL PROPOSALS RECEIVED IN RESPONSE TO REQUEST FOR PROPOSALS NO. RFP-01261 FOR THE PURCHASE OF SECURITY GUARD SERVICES FOR SPECIAL ASSESSMENT DISTRICTS FOR THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT

ISSUE/REQUESTED ACTION

Whether the Board should reject all proposals received in response to Request for Proposals No. RFP-01261 issued to consolidate two current contracts, RFP716-3(3) and RFP717-3(3), for security guard services in several special assessment districts and retroactively authorize two designated purchases extending the current contracts for these services for one year in light of this proposed rejection, in effect increasing expenditure authority for this period at the following amounts: \$212,420 for RFP716-3(3) and \$3,816,422 for RFP717-3(3).

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

These items have no procedural history.

ANALYSIS

The purpose of these items is to approve two designated purchases extending and increasing expenditure authority for current contracts, *RFP716-3(3)* and *RFP717-3(3)*, *Security Guard Services for Special Taxing Districts* due to the need to reject all proposals for RFP-01261, which was intended to consolidate these two contracts. The rejection of all proposals for RFP-01261 (PRCA Agenda Item No. 3C, File No. 201257) and consequentially the two designated purchases (PRCA Agenda Item Nos. 3A & 3B, File Nos. 201252 & 201255) are being requested to allow for the resolicitation of the replacement contract for the management, supervision, personnel, equipment, and supplies necessary to provide 18 Special Assessment Districts with level 2 and level 3 unarmed security guard services 24 hours a day, 365 days per year. The awarded vendors are required to maintain Class "B," Security Agency, or Class "BB,"

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Security Agency Branch Office License issued by the State of Florida Division of Licensing during the term of the contract.

The current contracts, RFP-716 and RFP-717, were awarded on November 15, 2011 via Resolutions R-959-11 and R-960-11, respectively, each for a two-year term, with three, two-year options to renew. RFP-716, originally for the procurement of level 3 security guard services for varying special assessment districts, has a current cumulative value of \$8,526,220 while RFP-717 for level 2 security guard services has a current cumulative value of \$62,618,222, both values being inclusive of all option terms for a total term of eight years and six months for each contract. Both contracts were extended twice via proration under the department's delegated authority, for a total of six months, and expired on May 31, 2020. A 12-month proration for both contracts was approved by the department on May 26, 2020, extending the contract administratively for one year, with additional allocations for each contract for this period. Retroactive approval is now being sought to extend the expiration date to May 31, 2021 and increase expenditure authority by \$212,420 for RFP716-3(3) and \$3,816,422 for RFP717-3(3). Procurement of these services is funded by non-ad-valorem assessments collected from the Special Assessment Districts. All vendors have agreed to the one-year extension at the current contract rates. The user departments are Parks, Recreation and Open Spaces, Solid Waste Management, and Transportation and Public Works.

The table below provides summary information per contract, including awarded vendors and service level.

Contract	Awarded Vendors	Term	Current Cumulative Value	Additional Allocation Requested	Additional Time Requested
RFP-716 Level 3 Security Guard Services (Reso. No. R-959-11)	<ul style="list-style-type: none"> • G4S Secure Solutions (USA), Inc. • U.S. Security Associates, Inc. 	December 1, 2011 – May 31, 2020	\$8,526,220	\$212,420	One Year
RFP-717 Level 2 Security Guard Services (Reso. No. R-960-11)	<ul style="list-style-type: none"> • 50 State Security Service, Inc.* • G4S Secure Solutions (USA), Inc. • Security Alliance of Florida LLC • U.S. Security Associates, Inc. • Kent Security Services, Inc. 	December 1, 2011 – May 31, 2020	\$62,618,222	\$3,816,422	One Year

**No longer a vendor under the contract*

The RFP for the replacement contract called for a four-year contract term with one, four-year option to renew, valued at \$25,033,848 for the initial term, with a cumulative value of \$50,067,696 inclusive of the option term. The solicitation was advertised on June 21, 2019 with a bid due date of July 19, 2019. The solicitation process originally resulted in three vendors being recommended for award after receiving 16 proposals, six of which were deemed non-responsive. Pursuant to alternate selection procedures authorized by Resolution No. R-7-88 wherein Special Assessment Districts' Homeowners Associations (HOAs) are included in the solicitation process, a list of the top six ranked proposers (Kent,

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Allied Universal, G4S, Feick Security Corporation, American Guard Services, Inc., and Regions Security Services, Inc.), along with the proposed prices, were forwarded to the HOAs for selection of firms for their respective Special Assessment District. All HOAs submitted their preferences, ultimately selecting three firms from the top six proposers. Kent Security Services Inc. was recommended for award by 12 of the 18 Special Assessment Districts. The second and third-ranked firms were each recommended for three districts. Two of the three vendors, Kent Security Services, Inc. and G4S Secure Solutions (USA), Inc., are incumbents of the current contracts. Universal Protection Service, LLC dba Allied Universal Security Services would have been a new vendor under the replacement contract.

The recommendation to reject all proposals received in the RFP for the replacement contract is due to Kent Security Services, Inc. being deemed non-responsive, and efforts to have the Special Assessment Districts choose from the remaining firms proving unsuccessful. Moreover, the majority of the Special Assessment Districts voiced concerns that the experience requirements for the security guards as prescribed in the solicitation were higher than the requirements in the current contracts, which would have resulted in some current security guards being unable to continue their employment in order to abide by the new contract terms. Therefore, the replacement contract will have to be resolicited and the two designated purchases for additional time and expenditure authority are being requested to allow for the continuation of security guard services for the Special Assessment Districts in the interim. Per each current contract, both Level 2 and Level 3 Security Guards shall be a minimum of 21 years of age, possess a valid State of Florida driver's license (if assigned to rover patrol), and licensed by the State of Florida with a valid Class "D" license from the Florida Department of State pursuant to Florida Statute 493. Any person directing the activities of the security guards shall also meet the licensing requirements, per Florida Statute 493.6303, and possess a Class "MB" license and a Class M license, if applicable.

Level 2 and Level 3 Security Guards/Site Supervisors shall possess, at a minimum, a high school diploma or certified equivalency diploma, and be able to document a work history or educational background which includes at least one of the following qualifications:

- Minimum of five years experience as a licensed security guard;
- Minimum of two years military experience;
- Civilian or Military law enforcement or Corrections accreditation;
- Four-year (bachelor's) degree from an accredited college or university;
- Two-year (associate) degree from an accredited college and one, year experience as a licensed security guard.

The solicitation for the replacement contract's higher experience requirements were specifically as follows:

Level 2 Security Guard

Level 2 security guards are unarmed and shall have at minimum a Class D Security License and meet at least one of the following qualifications:

- Prior military experience with an honorable discharge (or a general discharge under honorable conditions)
- Prior certified correctional officer experience
- Prior certified police officer experience
- Police or correctional academy graduate
- Associates degree in criminal justice or related field of course study (or equivalent credit hours from an accredited institution), in addition to being a licensed security guard in the state of Florida, and

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- Miami-Dade Police Academy graduate or other local police academy graduate who has obtained his or her certification of completion and met the State of Florida licensure requirements for security guards may be considered

Level 3 Security Guard

This is the highest classification of security guard and is an unarmed position. Security guard shall have at minimum a Class D Security License and meet at least one of the following qualifications:

- Minimum of three (3) years of experience as a certified police officer
- Minimum of three (3) years of experience as a member of the active duty military
- Minimum of three (3) years of experience as a certified correctional officer
- Two-year (associate) degree from an accredited college or university, plus one year of security guard service
- Bachelor's degree in criminal justice or a related field of course study (or equivalent credit hours from an accredited institution), in addition to four (4) years of experience as a licensed security officer in the state of Florida.
- Miami-Dade Police Academy graduate or other local police academy graduate who has obtained his or her certification of completion and met the state of Florida licensure requirements for security guards may be considered for all levels of security guard services provided under this contract.

The below table summarizes OCA's due diligence review of the current vendors for contracts RFP-716 and RFP-717.

Awarded Firms	Contract(s) Awarded	Corporate Registration	Tax Collector's Office	Litigation (Westlaw)
G4S Secure Solutions (USA), Inc.	RFP716A & RFP 717B	Florida Profit Corporation Active Principal Address: 1395 University Boulevard Jupiter, FL 33458 Filed: December 4, 1958	Business Address: 7205 Corporate Center Dr., Suite A #304 Miami, FL 33126 Status: Paid and Current	<i>Brevoort v. G4S Secure Solutions (USA) Inc.</i> (Case No. 2:20-CV-05432). Filed on June 18, 2020 in U.S. District Court, Central District of California (Los Angeles). Allegation: Plaintiff was subjected to ongoing sexual orientation discrimination by fellow employees, supervisors, and executives. Case Status: Open; Notice of Interested Parties filed by defendant G4S Secure Solutions (USA) Inc., identifying G4S Holding One, Inc., G4S USA Holdings Ltd., and G4S plc on June 18, 2020. <i>Tyrone Davis v. Alexander Serafin, et al.</i> (Case No. 20STCV15185). Filed on April 21, 2020 in Superior Court, Los Angeles County. Allegation (Wrongful Termination): Defendants discriminated against plaintiff on the basis of his race, creating hostile work

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				environment and failing to prevent from retaliation and harassment in violation of labor code and public policy. Case Status: Open; amended complaint filed on June 12, 2020.
Kent Security Services, Inc.	RFP 717E	Florida Profit Corporation Active Principal Address: 14600 Biscayne Blvd. N Miami Beach, FL 33181 Filed: November 11, 1982	Business Address: 14600 Biscayne Blvd. N Miami Beach, FL 33181 Status: Paid and Current	No relevant cases.
Security Alliance, LLC	RFP 717C	Florida Limited Liability Company Active Principal Address: 8323 NW 12th St., Suite 218 Doral, FL 33126 Filed: June 12, 2002	Business Address: 8323 NW 12th St., Suite 218 Doral, FL 33126 Status: Paid and Current	<i>Miami-Dade County v. Security Alliance, LLC</i> (Case No. 2017-029385-CA-01). Filed on December 21, 2017 in the 11th Judicial Circuit, Miami-Dade County. Allegation (Breach of Contract): Defendant breached contract with Miami-Dade County by not abiding by contract terms regarding indemnification when it did not pay the County's \$42,000 settlement in a claim for damages due to a plaintiff sustaining injuries while working as a security guard for Security Alliance, LLC. Case Status: Closed; Order of Dismissal on January 15, 2019.
U.S. Security Associates, Inc.	RFP 716B, RFP 717A & RFP 717D	Foreign Profit Corporation Active Principal Address:	Business Address: 915 NE 125th St., Suite 200 North Miami, FL 33161	<i>Antonio Beltran v. Allied Barton Security Services, LP, et al</i> (Case No. 20STCV07764). Filed on February 5, 2020 in Superior Court, Los Angeles County. Allegation: Defendants discriminated against the plaintiff on the basis of disability by failing to

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		161 Washington Street, Suite 600 Conshohocken, PA 19428 Filed: February 23, 1994	Status: Paid and Current	provide proper accommodation and wrongfully terminated employment. Case Status: Open; Case Management Conference on June 26, 2020.
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A July 11, 2020 search on the Business Management Workforce System for the pool's Commodity Code, 990 - Security, Fire, Safety, And Emergency Services (Including Disaster Document Recovery) yielded the following 22 certified local Small Business Enterprise firms:

- AWA Security, Inc.
- C, J. Fire Protection, Inc., dba C. J. Fire Protection, Inc.
- Centurion / Feick Partnership
- Centurion Security Group, LLC
- Corcel Corp.
- Cressmark Training Center Inc., dba Cressmark Security Services
- First American Security Services, Inc.
- Florida Fire Alarm, Inc.
- Florida Power Quality Solutions, Inc.
- High-Class Security, Inc.
- International Security Guard Services Inc.
- Jador International Corporation
- Journey And Associates Inc., dba TeamJai
- Lion Intelligence & Security Services Inc.
- Moonstone Investigations, LLC
- P. Eagle Protection, LLC. (Miami Branch), dba Miami Patrol Eagle Protection, LLC
- Precise Protective Research, Inc.
- Protective Security Solutions Inc.
- Quality Wiring, Inc.
- Ricmon Group LLC
- S1 Security Group, Inc.
- Ultimate Guard Protection Services, LLC

It is unknown whether these firms are capable of performing the scope of services required.

APPLICABLE LEGISLATION/POLICY

Chapter 493, Florida Statutes, governs private security services.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0493/0493ContentsIndex.html

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

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

Section 2-8.1(b)(3) of the County Code prescribes that formal sealed bids for purchase of goods or services shall not be required where such formal sealed bids would not be practicable.

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

Section 2-8.9 of the Code of Miami-Dade County (Living Wage Ordinance for County Service contracts and County employees) applies to Covered employees, meaning anyone employed by any Service Contractor, as further defined in this Chapter either full or part time, as an employee with or without benefits that is involved in providing service pursuant to the Service Contractor's contract with the County.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.9LIWAORCOSECOEM

Resolution No. R-959-11, adopted November 15, 2011, authorized execution of agreements with G4S Secure Solutions (USA) Inc., and U.S. Security Associates, Inc. for a two-year term with three, two-year options to renew in the aggregate amount of \$8,000,000 to obtain security guard services for multiple Special Taxing Districts in Miami-Dade County.

<http://intra/gia/matter.asp?matter=112034&file=true&yearFolder=Y2011>

Resolution No. 960-11, adopted November 15, 2011, authorized execution of agreements with 50 State Security Service, Inc., G4S Secure Solutions (USA) Inc., Security Alliance of Florida LLC, U.S. Security Associates, Inc., and Kent Security Services, Inc. for a two-year term with three, two-year options to renew in the aggregate amount of \$50,400,000 to obtain security guard services for multiple special taxing districts in Miami-Dade County.

<http://intra/gia/matter.asp?matter=112035&file=true&yearFolder=Y2011>

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

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

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

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

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

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

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Implementing Order 3-38 sets forth the County's policies and procedures for the procurement of goods and services. The I.O. references the obligations and responsibilities of the Internal Services Department; the authority to award; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

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

CONTRIBUTORS

Phillip G. Edwards, Esq., Senior Research Analyst
Jacqueline N. Fernandez Proenza, J.D., Research Analyst

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

The Office of the Commission Auditor (OCA) was established in September 2002 by Ordinance 03-2 to provide support and professional analysis of the policy, service, budgetary and operational issues before the Miami-Dade Board of County Commissioners. The Commission Auditor's duties include reporting to the Board of County Commissioners on the fiscal operations of County departments, as well as whether the fiscal and legislative policy directions of the Commission are being efficiently and effectively implemented

These research notes, prepared in collaboration with the Miami Dade County departments as subject matter experts, is substantially less detailed in scope than an audit in accordance with the Generally Accepted Auditing Standards (GAAS). The OCA plans and performs the review to obtain sufficient, appropriate evidence to provide a reasonable basis for its findings and conclusions based on its objectives; accordingly, the OCA does not express an opinion on the data gathered by the subject matter expert(s).