



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

**COMMISSION AUDITOR'S  
INFORMATIONAL RESEARCH**

**BOARD OF COUNTY COMMISSIONERS MEETING**

**December 15, 2020**

**9:30 A.M.**

**Commission Chambers**

Yinka Majekodunmi, CPA  
Commission Auditor

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

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Research Notes**

**Item No. 8F1  
File No. 202222**

**Researcher: MF   Reviewer: PGE**

RESOLUTION AUTHORIZING ONE-YEAR EXTENSION AND ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$81,512.00 FOR A MODIFIED TOTAL CONTRACT AWARD OF \$340,433.00 FOR LEGACY PURCHASE CONTRACT NO. L411-A FOR THE PURCHASE OF INVESTMENT MANAGEMENT SOFTWARE FOR THE FINANCE AND MIAMI-DADE AVIATION DEPARTMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATIONS AND EXTENSIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

**ISSUE/REQUESTED ACTION**

Whether the Board should approve additional expenditure of \$81,512 under *Legacy Contract No. L411-A* for a one-year extension for the continued purchase of investment management software services for the County's Finance and Aviation departments, resulting in a total modified contract value of \$340,433.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

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

This item was waived out of the December 2020 committee meeting cycle and placed onto the December 15, 2020 BCC agenda. Previously, the item had been on the Health Care and County Operations Committee meeting agenda of November 12, 2020; however, the meeting was canceled.

**ANALYSIS**

The purpose of this item is for the County to authorize additional expenditure to *Legacy Contract No. L411-A* for the purchase of investment management software services for an additional one-year term for the County's Finance and Aviation departments, with a fiscal impact to the County of \$81,512 – bringing the total award under this contract to \$340,433. The extended term is needed for continuity of maintenance and support services while the user departments finalize a long-term replacement solution and associated contract for these services.

This legacy contract was awarded under delegated authority in July 2017 to FIS Data Systems Inc. dba FIS AvantGard, LLC ("FIS") for maintenance and support services to the current investment management software system. Said system is utilized as an investment management software that maintains and monitors investment portfolios for the Finance Department in amounts fluctuating between \$5.5 billion to \$9 billion in fixed income assets. The Aviation Department uses the software for financial reporting purposes.

The current contract was originally established with an allocation of \$221,932 and scheduled to expire on July 29, 2020. However, the contract was administratively extended by six months with a prorated amount of \$36,988, resulting in the current cumulative value of \$258,920 and expiration date of January 29, 2021. This item, if approved, extends the contract – by one year – through January 31, 2022.

The request for increased spending of \$81,512 (i.e., \$7,409 for the Aviation Department and \$74,103 for the Finance Department) is required to cover continued maintenance and support services for the APS 2 investment management software. As indicated in the mayoral memorandum, the APS 2 system is proprietary of FIS, therefore no other vendor is capable of delivering the necessary software support and maintenance services.

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On October 6, 2020, the Board approved Resolution No. R-956-20, rejecting all proposals received in response to a solicitation for the purchase of investment management software for the Finance Department – intended to replace current *Contract No. L411-A*. The County had advertised a Request for Proposals on March 11, 2020 for firms with expertise in Investment Management Software – in the areas of implementation, integration, configuration, data conversion, disaster recovery, among other services. The advertised value was \$345,000 for a five-year term plus a two-year option to renew. The Finance Department recommended rejecting all proposals received from that solicitation due to budgetary constraints – as two of the three price quotes were more than 240% of the budgeted amount. Although a third firm did propose a price within the allocated budget, concerns were raised about the firm's technical capabilities pertaining to the services to be rendered.

According to the Administration, this additional expenditure request and time extension is a response to the rejected re-procurement, a planned temporary move, while the Finance Department re-evaluates securing a new procurement mechanism that is congruent with departmental needs and budgetary constraints.

OCA reviewed the Bid Tracking System (BTS) on December 10, 2020 for the current contract's (*No. L411-A*) Blanket Purchase Order (BPO). Of the \$258,920 that was allocated to the BPO, a total of \$250,023.57 has been released, leaving a balance of \$8,896.43.

Per the Market Research conducted for this item, the following vendors may potentially have the capability of providing the necessary services: SS&C; Broadbridge; QED Financial Systems; Clearwater Analytics; and Emphasys. Notwithstanding, if the County were to opt for an alternate vendor, a transition into a new investment management software system would be necessary. Additionally, ISD notes that while these firms may have the capacity to offer the services, the aforementioned list of vendors mostly serves the needs of the private sector. The County's existing software under the selected vendor, FIS, is customized to serve the needs of public entities with the advantage of ensuring compliance with procedures and guidelines pertaining to financial performances. Another justification for retaining this vendor is that FIS has the capability of handling the government sector's sizeable financial portfolio.

OCA conducted a search for Commodity Code 92045 (Software Maintenance Support Services) on the Business Management Workforce System's Certified Vendor Directory on December 7, 2020. Listed below are the active SBEs identified.

- A.L. Jackson & Company, P.A. Miami, FL SBE-G&S
- SpeedyIttech, LLC dba 360 Tech Group Miami Lakes, FL SBE-G&S

Based on the mayoral memorandum, the proprietary nature of the investment system renders the above vendors unable to participate in the contract's scope of services.

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OCA performed due diligence on December 7, 2020 pertaining to the awarded vendor; Table 1 below depicts the findings.

**Table 1**

Current (Awarded) Firm	Corporate Registration	Tax Collector's Office	Florida DBPR	Westlaw
FIS Data Systems, Inc.  dba FIS AvantGard, LLC	Foreign Profit Corporation  Active  Principal Address: 601 Riverside Ave. Jacksonville, FL  Filed: June 4, 2008	No account on file	No account on file	No relevant litigation

Illustration 1 below shows a sample investment management software used in the market by private and public entities.

**Illustration 1**



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**ADDITIONAL INFORMATION**

OCA performed an Internet search of the current vendor, FIS AvantGard, LLC, on November 19, 2020. According to the website, the company offers merchant, banking and capital market solutions across several sectors including government, finance and accounting, energy and commodities, insurance, and corporates. Among its clients are: WorthPoint; National Capital Bank; Bambu; Radius Media Group; PriorityOne Bank; Australian Bureau of Statistics; Bayer; Oriental Bank; and Credit Suisse. The company has been recognized with a number of awards including: Best Treasury and Cash Management Award 2020; International Service Excellence Awards 2019; Insurance ERM Awards 2020 for Modelling Team of the Year and Data Solution of the Year; and Fortune World's Most Admired Companies 2019. <https://www.fisglobal.com/>

OCA also found a news article from November 2015 that cited FIS AvantGard, LLC as having acquired Sungard, once considered one of the world's leading financial software and technology services companies, for \$9.3 billion. The purchase expanded AvantGard, LLC's capabilities to offer a wider range of retail, enterprise and wholesale banking and payment services.

<https://www.businesswire.com/news/home/20151130005757/en/FIS-Completes-Acquisition-of-SunGard>

**DEPARTMENTAL INPUT**

OCA sent the following inquiry to ISD on November 6, 2020 and November 19, 2020. The Department replied November 30, 2020 with a response to bulleted item No. 3 below, regarding Table 2; the response is shown in Italics. As of the publication date of this research note, responses for the other two bulleted items shown below had not been provided.

- Please indicate the fiscal impact to the County once a replacement contract is proposed prior to the one-year extension expiration under this request.
- Explain if staffing training sessions for a new replacement system would be offered, how this would impact the processes, as well as how such training would be handled by the respective departments.
- Explain whether this expenditure has been budgeted for; (a) if so, provide the line item where this budget can be identified and provide the associated funding source(s) to pay for it; and (b) provide the financial index or account code for the expenditure and revenue.

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**Table 2**

Has the expenditure been budgeted for?			
If yes:			If no:
Provide the budget line item where this expenditure can be identified.	Provide the funding source(s).	Provide the Financial index or account code.	Explain why this expenditure was not budgeted for, including how the expenditure will be addressed, or what the revenue will be utilized for.
<i>OTHER OUTSIDE CONTRACTUAL SERVICES (22430)</i>	<i>General Fund</i>	<i>FNCASHMGT</i>	<i>N/A</i>

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1 of the Code of Miami-Dade County** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board. According to sub-section b(2), which relates to *Legacy Purchases*, the County Mayor shall include, in any Legacy Purchase award recommendation, a statement as to the need for such purchase and the provisions taken to reduce or eliminate the future need for Legacy Purchases for the particular good or service. Legacy Purchases shall mean the purchase of goods and services where competition is unavailable, impractical or constrained as a result of the need to continue to operate an existing County system which may not be replaced without substantial expenditure.

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

**Resolution No. R-956-20**, adopted October 6, 2020, approved rejection of all proposals received in response to Resolution No. EPPRFP-01522 for the purchase of investment management software for the Finance Department.

<http://intra/gia/matter.asp?matter=201683&file=true&yearFolder=Y2020>

**Resolution No. R-828-19**, adopted on 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>

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**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 No. R-187-12**, adopted 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 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>

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

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



**BCC Meeting:  
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**Item No. 15C1  
File No. 202329**

**Researcher: CB   Reviewer: PGE**

APPOINTMENT OF MARIA LUISA GONZALEZ TO THE HEALTH COUNCIL OF SOUTH FLORIDA, INC.

**ISSUE/REQUESTED ACTION**

N/A

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Clerk of the Board**

There is no procedural history for this item.

**ANALYSIS**

OCA's background research on Maria Luisa Gonzalez, the nominee for appointment to the Board of Directors of the Health Council of South Florida, Inc., yielded no adverse informational 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>

### **CONTRIBUTORS**

Phillip G. Edwards, Esq., Legislative Research Manager

Mireidy Fernandez, Ph.D., Research Analyst

Cedric J. Brazle, Jr., Executive Secretary

### **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).