



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

**COMMISSION AUDITOR'S  
INFORMATIONAL RESEARCH**

**COUNTY INFRASTRUCTURE AND INNOVATIONS  
COMMITTEE**

**March 11, 2021**

**3:00 P.M.**

**Commission Chambers**

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Commission Auditor

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Research Notes**

**Item No. 3A  
File No. 210113**

**Research: VW / Reviewer: PGE**

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01441 GROUP 1 TO CONVERLOGIC INTER, LLC AND CONTRACT NO. FB-01441 GROUP 2 TO CONFIDEX, INC. FOR THE PURCHASE OF SMARTCARDS FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS WITH AN AMOUNT NOT TO EXCEED \$4,084,800.00, FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD FOR GROUP 1 TO CONVERLOGIC INTER, LLC AND GROUP 2 TO CONFIDEX, INC., 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

**Prime Sponsor(s):** None  
**Requester:** Internal Services  
**Committee Action Date:** N/A

**RESEARCH FINDINGS**

According to the BPO of the current contract FB-00190, listed on BTS only \$2,439,215 of the contract's cumulative allocation of \$4,689,000 has been released, leaving a balance of \$2,249,785 with the contract set to expire at the end of next month. It is unclear why the department is requesting a replacement contract with unallocated funds still remaining in the current contract.

**FINANCIAL ANALYSIS**

The fiscal impact for the contract is \$4,084,800 for a period of five-years. The annual allocation for the replacement contract is roughly 9% lower than the annual allocation of the current contract due to lower pricing: an annual allocation of \$816,960 for the current contract versus an annual allocation of \$893,143 for the previous contract.

**ADDITIONAL INFORMATION**

The contract under consideration is a replacement contract for contract FB-00190 which took effect on February 1, 2016 and is set to expire on April 30, 2021. Resolution No. [R-718-17](#) directs the Administration to commence planning for repurchase no later than 18 months prior to the expiration of contracts and prequalification pools for purchases of goods and services, inclusive of option to renew periods. The contract's original expiration date was January 31, 2021. The expiration date was administratively extended by three months through April 30, 2021. Given the incumbent contract's original expiration date of January 31, 2021, the Administration should have commenced planning for repurchase of this contract no later than July 31, 2019.

The contract will allow the Department of Transportation and Public Works to purchase contactless smartcards, otherwise known as Easy Cards and Easy Tickets. Easy Cards are reloadable plastic cards which allow transit users to prepay for fares and load monthly and weekly fare packages. Easy Tickets are paper-based disposable tickets which allow transit users to prepay for fares.

The recommended vendors for the replacement contract are: Converlogic Inter, LLC and Confidex Ltd. Confidex Ltd is an incumbent from the previous contract. The other incumbent from the previous contract, Ask-intTag, is an out of state firm that has been replaced by Converlogic Inter, LLC a local firm, created in 2014, with its principal address in Doral, Florida. It should be noted that as of March 9, 2021 a search for Confidex Ltd on the State of Florida Division

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**Research: VW / Reviewer: PGE**

of Corporations website yielded no results indicating the firm is not registered with the State of Florida Division of Corporations.

According to the Blanket Purchase Order of the current contract FB-00190 listed on the Bid Tracking System only \$2,439,215 of the contract's cumulative allocation of \$4,689,000 has been released, leaving a balance of \$2,249,785 with the contract set to expire at the end of next month.

A March 10, 2021 search on the Business Management Workforce System for the contract's commodity codes, 31875 – Tickets; 31877 – Tickets, Pre-Encoded; 94676 – Smartcards, Limited and Standard Use Proximity Integrated Circuit Card (LU-PICC AND PICC), yielded no certified DBE, LBD, or SBE firms. No SBEs will participate in any aspect of the contract's scope of work.

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Research Notes**

**Item No. 3B  
File No. 210390**

**Researcher: MF / Reviewer: PGE**

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$3,855,000.00 RESULTING IN A TOTAL EXPENDITURE AUTHORITY OF \$25,843,000.00 FOR PREQUALIFICATION POOL NO. RTQ-9535-1/21-1 FOR PURCHASE OF TOOLS AND ACCESSORIES FOR MULTIPLE DEPARTMENTS

**Prime Sponsor:** None  
**Requester:** Internal Services Department  
**Committee Action Date:** None

**RESEARCH FINDINGS**

OCA's review of the item yielded information pertaining to the following vendors in the prequalification pool:

1. Applied Industrial Technologies – Dixie, Inc. – the company is a co-defendant in a lawsuit filed February 18, 2021 (*Frisky v. A.R. Wilfley & Sons, Inc. et al*, Case No. GD-21-001355) in the Court of Common Pleas (Allegheny Co.), Pennsylvania. The complaint alleges that as a direct result of the actions of the defendants, the plaintiff suffered inhalation of asbestos fibers and suffered severe and serious injuries, including lung cancer, post-traumatic anxiety reaction, and severe pain and discomfort. As of March 8, 2021, the case docket indicates the plaintiff had been granted a motion to add three more companies to the list of co-defendants.
2. Fastenal Company – a class-action suit was filed against the vendor on February 4, 2021 (*David Loaiza v. Fastenal Company, et al*, Case No. 2:21-CV-01034) in the U.S. District Court, Central District of California (Los Angeles). According to the complaint, the defendant violated the Americans with Disabilities Act, stating the company website is inaccessible to the visually impaired who use screen reading software to access the Internet, and violated the Unruh Civil Rights Act of California, also against the visually impaired. The plaintiffs are requesting a jury trial. The case is pending further court action.
3. Genuine Parts Company – the vendor is a co-defendant in a lawsuit filed March 1, 2021 (*Andreychak v. Alcoa*, Case No. RG21090227) in the Superior Court, Alameda County (California). Per the complaint, the plaintiff has been diagnosed with mesothelioma because the defendants allegedly exposed the plaintiff to asbestos.

**ADDITIONAL INFORMATION**

OCA conducted due diligence of *Prequalification Pool No. RTQ-9535-1/21-1* in the Bid Tracking System (BTS) on March 8, 2021. Tables 1 and 2 below provide details.

Table 1 below depicts the award of the initial pool in May 2012 as well as the sole option-to-renew (OTR) term under this item.

Contract No.	Title	Contract Dates	Value	Annual Allocation
9535-1/21	Tools and Accessories - Prequalification	May 1, 2012 – April 30, 2017	\$10,994,000.06	\$2,198,800
9535-1/21-1 OTR Term	Tools and Accessories - Prequalification	May 1, 2017 – April 30, 2022	\$10,994,000.06	\$2,198,800

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File No. 210390**

**Researcher: MF / Reviewer: PGE**

Table 2 below shows the OTR term's value, released amount thus far, and the remaining balance as of OCA's review of BTS on March 8, 2021.

<b>Contract No.</b>	<b>Initial Value</b>	<b>Released Amount</b>	<b>Balance</b>
9535-1/21-1 (OTR Term – expiring April 30, 2022)	\$10,994,000.06	\$9,633,864.06	\$1,360,136

Table 3 below depicts each of the departments requesting funds, their allocation amount, released amount and balance as shown in BTS as of March 10, 2021. As indicated below, Animal Services, Libraries, and Parks and Recreation have almost entirely depleted their allocation. In the case of Vizcaya Museum, the entity has a zero balance on its allocation.

<b>Contract No. 9535-1/21-1</b>			
<b>Department</b>	<b>Allocation Amount</b>	<b>Released Amount</b>	<b>Balance</b>
Animal Services	\$100,000	\$99,960.22	\$39.78
Aviation	\$345,000	\$239,229.94	\$105,770.06
Community Action and Human Services	\$101,000	\$39,991.80	\$61,008.20
Corrections and Rehabilitation	\$150,000	\$130,317.86	\$19,682.14
Enterprise Technology Services	\$4,000	\$1,472.40	\$2,527.60
Fire Rescue	\$729,000	\$721,991.66	\$7,008.34
Housing and Community Development	\$188,000	\$116,773.41	\$71,226.59
Internal Services	\$801,000	\$491,392.60	\$309,607.40
Libraries	\$22,000	\$21,532.95	\$467.05
Transportation & Public Works	\$2,110,389.36	\$1,484,802.72	\$625,586.64
Police	\$230,000	\$190,872.09	\$39,127.91
Regulatory and Economic Resources	\$20,000	\$18,986.54	\$1,013.46
Parks and Recreation	\$604,068.28	\$604,013.76	\$54.52
Seaport	\$314,769	\$248,142.07	\$66,626.93
Solid Waste	\$262,841.39	\$229,193	\$33,648.39
Vizcaya Museum	\$21,932.03	\$21,932.03	\$0.00
Water & Sewer	\$4,990,000	\$4,976,198.51	\$13,801.49
<b>TOTAL:</b>	<b>\$10,994,000.06</b>	<b>\$9,636,803.56</b>	<b>\$1,357,196.50</b>

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Research Notes**

**Item No. 3D  
File No. 210393**

**Researcher: TA / Reviewer: PGE**

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY UP TO \$9,718,000.00 FOR A TOTAL MODIFIED PREQUALIFICATION POOL AMOUNT OF \$12,148,000.00 FOR PREQUALIFICATION POOL NO. RTQ-01337 FOR PURCHASE OF POLYMER FOR WATER TREATMENT FOR THE MIAMI-DADE WATER AND SEWER DEPARTMENT

**Prime Sponsor:** None

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

**Committee Action Date:** N/A

**RESEARCH FINDINGS**

OCA's review of the item found no substantive legislative, procedural or administrative noncompliance. See the Additional Information section for historical and other background information on the item.

**FINANCIAL ANALYSIS**

The fiscal impact for this contract modification is \$9,718,000 for a total modified prequalification pool amount of \$12,148,000. When the original prequalification pool was established via [Resolution No. R-955-20](#), expenditure authority of \$2,430,000 was allocated for the first year only. The proposed additional allocation for the last four years of the pool (specifically, \$2,429,500 per year) equates to approximately four times the existing one-year allocation. According to the Bid Tracking System (BTS), only \$275,000 has been expended as of March 8, 2021. Thus, based on a utilization rate of approximately \$68,700 per month over a four month period, the proposed allocation appears to exceed actual usage, unless there are other factors that are to be considered, such as delays in payments to the vendor or seasonal changes in demand.

**ADDITIONAL INFORMATION**

The original prequalification pool was established with two firms: Kemira Chemicals and Polydyne, Inc. While the mayoral memo indicates that no vendors have been added since inception of the pool, BTS reflects one additional vendor that is currently under review to be pre-qualified: Solenis, LLC, which was a pre-qualified vendor under the previous pool and is a non-Local firm. Pursuant to [Resolution No. R-395-12](#), the addition of this vendor to the pool may be subject to future Board ratification. Competition associated with a third vendor may yield more favorable pricing for the County.

A Small Business Enterprise (SBE) set-aside would apply to a spot market quotation if three SBE firms were available in the pool; if there are less than three SBEs, a SBE Bid Preference would apply. However, none of the current pool members are SBE certified. According to the Business Management Workforce System, as of March 8, 2021, there are two SBE firms associated with the required Commodity Codes: 88570 *Hardness Control Chemicals; Chelating Agents, Phosphonates, Polyphosphates, Polymer Flocculants, etc.* and 88577 *Polymer Flocculants, Color, Thickening, Dewatering, Coagulant Aid, Not Hardness Control*: Expert Dewatering, Inc. and Pancar Industrial Supply Corporation.

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**Item No. 3E**  
**File No. 210396**

**Research: JNF / Reviewer: PGE**

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY UP TO \$65,402,000.00 FOR A TOTAL PREQUALIFICATION POOL OF \$81,753,000.00 FOR PREQUALIFICATION POOL NO. RTQ-01360 FOR PURCHASE OF WATER AND WASTEWATER TREATMENT PARTS, SERVICES AND EQUIPMENT FOR THE MIAMI-DADE WATER AND SEWER DEPARTMENT

**Prime Sponsor:** None

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

**Committee Action Date:** N/A

**RESEARCH FINDINGS**

OCA's review of the item produced the following findings:

1. OSHA Violations

- a. One of the current vendors in the pool, Ryan Herco Products Corp., has five open [OSHA violations](#) issued on December 4, 2020, three of which are deemed serious, resulting in a \$780 penalty being issued. In addition, the vendor has two closed serious [violations](#) that were issued on July 29, 2016 and resulted in a \$6,750 penalty.
- b. One of the current vendors in the pool, Tencarva Machinery Company, LLC, has eight closed [OSHA violations](#); five were serious violations issued on December 20, 2016 and March 29, 2017 that resulted in penalties amounting to \$15,000.

2. Relevant Pending Litigation

- a. An employee of the Miami-Dade County Water & Sewer Department sued one of the pool's vendors, Condo Electric Industrial Supply, Inc., for negligence (*Michael Jerome Kelly et al. v. Condo Electric Industrial Supply, Inc. et al.*, Case No. 2020-008859-CA-01 filed on April 22, 2020 in the Eleventh Judicial Circuit, Miami-Dade County). The County contracted with the defendant-vendor to inspect, repair, and maintain the guard and safety rails surrounding all the sewer containment areas in the Central District Wastewater Treatment Plant. The defendant-vendor allegedly failed to maintain the guardrails in the water treatment plant, causing plaintiff to fall and suffer injuries after operating the remote control of the vacuum truck and leaning against the guardrail, which then collapsed. The complaint was amended on February 10, 2021 to include a new defendant with the last action in the case being issuance of a 20-day summons to the defendant on February 26, 2021.
- b. One of the pool's vendors, Ovivo USA, LLC, is the defendant in a breach of contract, negligent misrepresentation, and negligence lawsuit for damages in the amount of \$1,680,196 (*Nash Cascadia Verde LLC v. Ovivo USA LLC*, Case No. 20-2-05445-9 filed on March 12, 2020 in Superior Court, Pierce County, WA). Defendant negligently designed the water filtration system for a water treatment plant, resulting in damages to plaintiff. Trial is scheduled for April 18, 2022.

**FINANCIAL ANALYSIS**

This item authorizing additional expenditure authority for *Prequalification Pool No. RTQ-01360, Water and Wastewater Treatment Parts, Services and Equipment* has a fiscal impact of \$65,402,000 for the remainder of the five-year term. The pool, established via Resolution No. [R-727-20](#) on July 21, 2020, had an initial allocation of \$16,351,000 for the first year, with the understanding that a modification would be presented when an additional allocation was quantified and needed for the remainder of the pool. While the requested modification represents a 400% increase from the original allocation, considering that the additional allocation would be for the remaining four years of the pool, the annual allocation of the requested modification represents a slight decrease (\$500) per year from that of the original allocation.



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**Research: JNF / Reviewer: PGE**

The former pool for these services, 9138-5/19-5, had a cumulative value of \$66,603,312 for a 10-year and six-month term, representing an annual allocation of \$6,343,173. The current pool, with a modified cumulative allocation of \$81,753,000 for a five-year term, will have a \$16,350,600 average annual allocation, a 158% increase from that of the prior pool.

**ADDITIONAL INFORMATION**

Four (40%) of the prequalified vendors currently in the pool have local addresses, which is lower than the 75% local vendor threshold prescribed by Resolution No. [R-477-18](#). OCA could not verify the local address for PSI Technologies, Inc. as stated in the Mayoral Memorandum. A March 10, 2021 search on the Business Management Workforce System for the pool's Commodity Codes, NIGP 89077 - Waste Water Reclamation Systems, Including Parts and Accessories; NIGP 89078 - Water Filters and Filter Elements, Except Boiler, Photographic Darkroom, and Swimming Pool: Cartridges, etc.; NIGP 89079 - Water and Wastewater Disinfecting Ozonators; NIGP 96895 - Wastewater Treatment Plant, Operations, and Testing; and NIGP 96896 - Water and Wastewater Treatment Services, yielded the following nine certified local Small Business Enterprise firms:

- Bax International, Corp., dba Bravo Plumbing and Mechanical Supply
- Deen Construction Company, dba Deencon
- Generating Systems, Inc.
- IMF Estimating & Construction, Corp.
- MAG Construction, Inc., dba Miami Plumbing Services
- Overnight Success, Inc.
- Ricmon Group LLC
- RJR Construction, Inc.
- SCR Mechanical, LLC

This analysis speaks to the availability of SBEs, not to whether the SBEs are capable of or interested in delivering the needed scope of work.

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**Item No. 3F  
File No. 210399**

**Research: VW / Reviewer: PGE**

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY UP TO \$11,357,390.00 FOR A TOTAL MODIFIED PREQUALIFICATION POOL AMOUNT OF \$58,857,390.00 FOR PREQUALIFICATION POOL NO. 9711-0/23 FOR PURCHASE OF PIPE AND FITTINGS FOR WATER AND WASTEWATER SERVICES FOR THE MIAMI-DADE WATER AND SEWER DEPARTMENT


**Prime Sponsor(s):** None  
**Requester:** Internal Services  
**Committee Action Date:** N/A

**RESEARCH FINDINGS**

OCA's review of the item found no substantive legislative, procedural or administrative noncompliance. See the Additional Information section for historical and other background information on the item.

**FINANCIAL ANALYSIS**

The prequalification pool was established on January 1, 2014 and is set to expire on December 31, 2023. According to a BTS search conducted on March 8, 2021, of the \$47,500,000 allocated for the pool \$40,479,002.89 has been depleted leaving a balance of \$7,020,997.11 with 34 months left in the contract. If the additional expenditure amount is approved, the contract's cumulative allocation will increase by approximately 24% from \$47,500,000 to \$58,857,390. On an annual basis the value of the additional expenditure authority is roughly 16% lower than the annual allocation of the original prequalification pool: \$4,008,491 for the additional expenditure amount compared to \$4,750,000 for the original prequalification pool.

	Cumulative Allocation	Annual Allocation
Prequalification Pool No. 9711-0/23	\$47,500,000	\$4,750,000
Additional Expenditure Authority for Prequalification Pool No. 9711-0/23	\$11,357,390	\$4,008,491
		 16%

**ADDITIONAL INFORMATION**

The additional expenditure authority to the pool is being requested by the Miami-Dade Water and Sewer Department (WASD) to continue purchasing cast ductile iron and cast gray-iron pipes and fittings to support the County's water and wastewater plants as well as water distribution and wastewater collection systems. The original prequalification pool No. 9711-0/23 was established on January 1, 2014. Additional expenditure authority in the amount of \$19,000,000 was approved by the Board on May 17, 2016 through [Resolution No. R-382-16](#). The original award value of the pool was \$28,500,000 which when combined with the \$19,000,000 of additional expenditure authority totals \$47,500,000.

WASD provided the following justification for the increased expenditure request. WASD uses the contract to purchase various ductile pipes and fitting such as: plug valves, butterfly valves, check valves, gate valves, and iron pipes. WASD spends approximately \$472,324.66 monthly on the purchase of stock and non-stock items and in 2020 spent approximately \$26,628,386.20 on the contract, with the largest purchase being \$410,000.00 for a 60" Flanged Dezurik Plug Valve. As there is approximately 38 months left remaining in the contract term the requested amount will provide

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**Research: VW / Reviewer: PGE**

continuity of operations until the end of the contract term and be used extensively to support operational and capital projects.

The prequalification pool specifies that the Small Business Enterprise (SBE) Bid Preference and Local Preference will be applied at the time of spot market competition where permitted by the funding source. An SBE set-aside applies for spot market competition up to \$100,000 where permitted by the funding source when there are three or more SBE-certified firms available.

According to BMWS, as of March 10, 2021, of the 12 vendors identified in the prequalification pool three are certified SBE firms:

- A&B Pipe and Supply, Inc.
- Corcel Corpo.
- Lehman Pipe and Plumbing Supply, Inc.

A March 10, 2021 search on the BMWS for the contract's commodity code, 670 - Plumbing Equipment, Fixtures, and Supplies; 6700 – Plumbing Equipment, Fixtures, and Supplies; 6701 - Plumbing Equipment, Fixtures, and Supplies, yielded 18 Small Business Enterprise (SBE) firms:

- A & B Hardware, Inc.
- A & B Pipe and Supply, Inc.
- Ametrade, Inc.
- Bax International, Corp.
- Conwell & Associates Consulting Company
- Corcel Corp
- Green-Energy-Products.Com, LLC
- Javan Lumber, Inc.
- KGV Plumbing Supply, Corp.
- L.H.P Group, Inc.
- Lehman Pipe And Plumbing Supply Inc.
- Miami Water Heater, Inc.
- Pankairos Investments, Corp.
- Rock Int'l Distributors, Inc.
- Schedule 10 Specialists, Inc.
- The Tool Place Corp.
- The Tools Man, Inc.
- Total Connection Inc.

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Research Notes**

**Item No. 31  
File No. 210339**

**Research: TA / Reviewer: PGE**

RESOLUTION APPROVING A CONTRACT AWARD FOR PROFESSIONAL SERVICES AGREEMENTS WITH A&P CONSULTING TRANSPORTATION ENGINEERS, CORP. AND CALVIN GIORDANO & ASSOCIATES INC., TO PROVIDE CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR VARIOUS DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS PROJECTS (PROJECT NO. E17-DTPW-02; CONTRACT NO. 20200114 & 20200115) IN AN AMOUNT NOT TO EXCEED \$3,000,000.00, INCLUSIVE OF A CONTINGENCY ALLOWANCE OF \$272,727.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT

**Prime Sponsor:** None

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

**Committee Action Date:** N/A

**RESEARCH FINDINGS**

OCA's review of the item found no substantive legislative, procedural or administrative noncompliance.

The following was noted:

1. The award recommendation does not make reference to the evaluation of in-house capabilities and expertise prior to contracting the services of outside consultants as required by Board resolution. (See the Additional Information section.)
2. The award recommendation does not include the contractor evaluation summary for the recommended firms as required by Board resolution. (See the Additional Information section.)
3. The award recommendation does not include a description of the due diligence conducted to determine contractor responsibility as required by Board resolution. (See the Additional Information section.)

**FINANCIAL ANALYSIS**

The fiscal impact for award of two Professional Services Agreements (PSAs) is \$3,000,000, which includes a contingency allowance amount of \$272,727. The applicable projects are funded as part of the FY20-21 Adopted Budget and Multi-Year Capital Plan. This work is to be funded by Secondary Gas Tax, Road Impact Fees, and People's Transportation Funds. Any tasks will be based on the department's needs and, per page 1 of the agreement (or page 12 of the agenda item), task work orders will be assigned with additional selection criteria: (a) firm expertise and (b) consultant staff availability to do the work. As such, no minimum amount of work or compensation is guaranteed.

**ADDITIONAL INFORMATION**

[Resolution No. R-1204-05](#) directs the Mayor to evaluate in-house capabilities and expertise prior to contracting the services of outside consultants and report the results of such inquiry together with any recommendation to the Board for award of such contracts. The mayoral memo does not make reference to this evaluation being that should have been conducted before proceeding with this award recommendation.

[Resolution No. R-421-16](#) directs the Mayor is attach to all design and/or construction awards of \$1,000,000 or greater a list of all contracts awarded in the previous three years to the recommended contractor and a summary of County evaluations of the recommended contractor's work. This item does not include the required work history or performance record information. According to the Capital Improvements Information System (CIIS), as of March 5, 2021, the evaluation summary is as follows:

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**Research: TA / Reviewer: PGE**

Prime Consultant	Number of Evaluations	CIIS Evaluation Rating
A & P Consulting Transportation Engineers, Corp.	37	3.8
Calvin Giordano & Associates, Inc.	12	3.7

According to the Business Management Workforce System (BMWS), the three-year work history (March 5, 2018 to March 5, 2021) for each firm is as follows:

Prime Consultant	Number of Contracts	Total Value
A & P Consulting Transportation Engineers, Corp.	7	\$4,940,137
Calvin Giordano & Associates, Inc.	6	\$732,000

[Resolution No. R-187-12](#) directs the Mayor to include with any award recommendation a description of the due diligence investigation performed to determine the Contractor's responsibility. This item does not specify the due diligence conducted by DTPW, to include verifying corporate status and performance and compliance data. OCA's due diligence revealed no adverse findings, including verifying that the firms have no Small Business Enterprise (SBE) or Wage Program violations in the past three years.

The mayoral memo indicates that Responsible Wages apply to this project; however, in accordance with [Section 2-11.16 of the County Code](#), Responsible Wages apply to construction contracts. OCA verified that the project worksheet issued by the Division of Small Business Development (SBD) on July 9, 2019 did not apply wages to this engineering project.

The project worksheet further indicated that at least two SBEs expressed their capability to perform the work at the time, but no SBEs actually bid on this project when it was solicited in October 2019. In fact, only the two recommended firms submitted proposals. The Competitive Selection Committee convened on December 17, 2019, and the recommended firms submitted their Fair Subcontracting Policies and Certificates of Insurance (which are required pre-award) in March 2020, but DTPW and Office of Management and Budget approval for this project was not until January 2021. The Mayor's Office approved this award on February 4, 2021. Both awardees have signed their respective PSAs, but those pages have not been dated.

A SBE Architectural and Engineering Services (A/E) goal of 30% was set for these PSAs; both consultants are meeting the goal utilizing SBE sub-consultants. On March 5, 2021, the SBE certification status of the subconsultants were verified. According to SBD's compliance memo dated November 26, 2019, the teams are as follows:

A & P Consulting Transportation Engineers, Corp.	
Azimuth 360 Consulting Group, Inc.	2%
Castillo Engineering, Inc.	15%
Pinnacle Consulting Enterprises, Inc.	13%
Total	30%

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Calvin Giordano & Associates, Inc.	
Bolton Perez & Associates, Inc.*	20%
Hammond & Associates	3%
R.J. Behar & Company, Inc.	7%
Total	30%

\*This firm graduated from the SBE Program on December 31, 2020; however, in accordance with [Section 10-2.4.01 of the County Code](#) pertaining to the SBE A/E Program, the firm was certified at the time of the proposal submission and thus may count as credit towards the SBE goal for this contract.

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**Item No. 3J  
File No. 210340**

**Research: JNF / Reviewer: PGE**

RESOLUTION APPROVING A CONTRACT AWARD FOR PROFESSIONAL SERVICES AGREEMENTS IN AN AMOUNT ESTIMATED AT \$3,000,000.00 WITH 28 CONSULTING FIRMS TO PROVIDE GENERAL LAND AND ENGINEERING SURVEYING SERVICES (PROJECT NO. E19-DTPW-04; CONTRACT NO. 20190152) AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENTS AND EXERCISE ALL PROVISIONS CONTAINED THEREIN ON BEHALF OF MIAMI-DADE COUNTY AND AUTHORIZING THE USE OF VARIOUS FUNDING SOURCES INCLUDING CHARTER COUNTY TRANSPORTATION SURTAX FOR THOSE PROJECTS IDENTIFIED IN THE ORIGINAL EXHIBIT 1 OF THE PEOPLE'S TRANSPORTATION PLAN AND PROJECTS IDENTIFIED IN THE FIVE-YEAR IMPLEMENTATION PLAN OF THE PEOPLE'S TRANSPORTATION PLAN ADOPTED JANUARY 22, 2020 AND BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FUNDS

**Prime Sponsor:** None

**Requester:** Transportation and Public Works (DTPW)

**Committee Action Date:** N/A

**RESEARCH FINDINGS**

OCA's review of the item found no substantive legislative, procedural, or administrative noncompliance. See the Additional Information section for historical and other background information on the item.

**FINANCIAL ANALYSIS**

These Professional Service Agreements (PSAs) for General Land and Engineering Surveying Services, totaling the estimated amount of \$3,000,000 for a term of three years, will be utilized by the following departments: DTPW, Aviation, Water and Sewer, Internal Services, Regulatory and Economic Resources, Public Housing and Community Development, Parks, Recreation and Open Spaces, and Seaport. Funding will be derived from project specific funding sources, which must be provided at the time work orders are issued. An estimated \$2 million will be from Charter County Transportation Surtax funds.

The contract's negotiated fee schedule reflects a 10% increase from the previous contract rates for field personnel and equipment, and a 15% increase for office staff for the first year. A 1.5% annual increase will be in effect for the duration of the contract.

**ADDITIONAL INFORMATION**

These PSAs with 28 consulting firms, of which 23 (82%) have local addresses will be utilized as needed by County departments, with work orders being issued to the firms in order based on the total amount awarded to each firm for countywide projects during the previous three years.

Each firm's average evaluation rating, out of a possible 4.0, is detailed below.

<b>Firm</b>	<b>Evaluation Count</b>	<b>Average Evaluation Rating (out of a possible 4.0)</b>
Aptim Environmental & Infrastructure LLC	9	3.6
Atkins North America Inc.	37	3.8

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Avino & Associates, Inc	3	3.7
Bello and Bello Land Surveying Corporation	0	-
Biscayne Engineering Company, Inc	4	3.5
CPH Inc.	7	3.9
FR Aleman & Associates, Inc	2	3.5
GPI Geospatial Inc	0	-
Hadonne Corp	0	-
HBK Engineering, LLC	0	-
HSQ Group, Inc	9	3.8
IBrucken Services, LLC	0	-
InfraMap Corp.	3	3.9
J. Bonfill and Associates Inc	7	3.7
JBM Data System, LLC	1	4.0
Juan C. Melendez, dba Orthotek	0	-
KCI Technologies, Inc	0	-
Keith and Associates Inc	0	-
Longitude Surveyors, LLC	0	-
Ludovici and Orange Consulting	10	3.3
Manuel G. Vera & Associates, Inc	3	3.1
Marlin Engineering, Inc	8	3.5
Maser Consulting, PA	0	-
Miller Legg & Associates, Inc	5	3.4
Premiere Design Solutions, Inc	5	3.9
Robayna and Associates, Inc	6	3.6
WGI, Inc	4	3.9
Woolpert, Inc	13	3.6

*Source: Capital Improvements Information System*



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Maser Consulting, PA appears as an inactive foreign profit corporation on [Sunbiz](#). Maser Consulting, Inc., which has the same FEIN number as Maser Consulting, PA, changed its name to Colliers Engineering & Design, Inc. on December 14, 2020.

[Resolution No. R-1204-05](#) directs the Mayor to evaluate in-house capabilities and expertise prior to contracting the services of outside consultants and report the results of such inquiry together with any recommendation to the Board for award of such contracts. The Mayoral Memorandum does not make reference to this evaluation being conducted before proceeding with this award recommendation.

**Relevant Pending Litigation**

Hadonne Corp. is the defendant in an ongoing negligence lawsuit (Case No. CACE19023572) filed on November 13, 2019 in the 17<sup>th</sup> Judicial Circuit, Broward County, wherein Hadonne Corp., who was contracted by the plaintiff to serve as the surveyor on the project, was allegedly negligent in performing these surveying services, resulting in plaintiff incurring \$709,060 in damages to remove, remediate, and replace the defective portions of the project. The last action on the case as it relates to defendant Hadonne was the filing of an answer and affirmative defenses to plaintiff's second amended complaint on February 12, 2021.

Longitude Surveyors, LLC is the defendant in a recently filed (January 7, 2021) negligence lawsuit (Case No. 2021-000370-CA-01) in the Eleventh Judicial Circuit, Miami-Dade County, wherein Longitude Surveyors, LLC was allegedly negligent in performing survey and design work, resulting in the plaintiff's increased construction costs, amounting to more than \$485,000, to correct the errors. Service was issued on January 11, 2021.

WGI, Inc. is the defendant in a negligence lawsuit (Case No. 2020CA002166) filed on February 25, 2020 in the Fifteenth Judicial Circuit, Palm Beach County. The allegations against WGI, Inc. include failing to prepare project plans with reasonable care, supplying false, inaccurate and otherwise misleading information about the project, and failure to timely detect and correct defects, resulting in plaintiff incurring additional costs exceeding \$30,000. The last court action as it relates to WGI, Inc. was an answer to interrogatories filed on October 22, 2020.

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Research Notes**

**Item No. 3K  
File No. 210342**

**Researcher: VW / Reviewer: PGE**

RESOLUTION APPROVING A CONTRACT AWARD FOR PROFESSIONAL SERVICES AGREEMENTS IN AN AMOUNT ESTIMATED AT \$10,000,000.00 WITH 21 CONSULTING FIRMS TO PROVIDE SOILS, FOUNDATION AND GEOTECHNICAL TESTING SERVICES (PROJECT NO. E19-DTPW-06; CONTRACT NO. 20190201) AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENTS AND EXERCISE TERMINATION PROVISIONS CONTAINED THEREIN AND AUTHORIZING THE USE OF VARIOUS FUNDING SOURCES INCLUDING CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR THOSE PROJECTS IDENTIFIED IN THE ORIGINAL EXHIBIT 1 OF THE PEOPLE'S TRANSPORTATION PLAN AND PROJECTS IDENTIFIED IN THE FIVE-YEAR IMPLEMENTATION PLAN OF THE PEOPLE'S TRANSPORTATION PLAN ADOPTED ON JANUARY 22, 2020 AND BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FUNDS

**Prime Sponsor(s):** None

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

**Committee Action Date:** N/A

**RESEARCH FINDINGS**

OCA's review of the item found no substantive legislative, procedural or administrative noncompliance. See the Additional Information section for historical and other background information on the item.

**FINANCIAL ANALYSIS**

The total fiscal impact of the Professional Services Agreements (PSAs) with the 21 consulting firms is \$10,000,000 with a contract period of 1095 days. Funds for the contract will come from Charter County Transportation Surtax and General Obligation Funds. The fiscal impact to the Charter County Transportation Surtax is estimated at approximately \$3 million over the three-year period of the PSAs. The cost of services will be charged to the specific project or activity requesting the services. The department requesting the services for the specific project will provide the funding source at the time a work order is issued. Work orders will not be issued under this contract unless the specific user department identifies the appropriate capital project and budget fund.

**ADDITIONAL INFORMATION**

The contract under consideration is an award of multiple PSAs with 21 consulting firms for services related to soils, foundations, and geotechnical testing for the following department: DTPW, Aviation, Water and Sewer, Internal Services, Regulatory and Economic Resources, Public Housing and Community Development, Parks, Recreation and Open Spaces, and Seaport. The services will include but not be limited to: geotechnical testing, monitoring wells, pre-stress/pre-cast fabrication inspection, pile driving, soils testing, asphalt and concrete testing, steel testing, and roofing inspecting/testing. The specified services are required for the design and construction of funded projects by the above departments.

According to the PSA there are no specific projects to be designated under the agreement. Rather the consultant will be issued work orders by the department director as the need for services arises, covering in the detail the scope time for completion and compensation for the work to be accomplished. According to the mayoral memo, the work is to be assigned on a rotational basis with the initial order determined by the amount of money awarded countywide to each firm during the previous three years. Once each firm has been issued a work order, the list is re-established based on the amount of money awarded to each firm, updated to include the work orders issued under this contract.

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**Researcher: VW / Reviewer: PGE**

Resolution No. [R-1204-05](#) directs the County Mayor to evaluate in-house capabilities and expertise prior to contracting the services of outside consultants. The mayoral memo does not indicate why in the department's assessment the required professional services cannot be performed in-house.

No Small Business Enterprise (SBE) goals were set for the overall professional services agreement, but the PSAs have the following firms as consultants for the project:

- Ardaman & Associates Inc.
- ATC Group Services LLC
- Blascom Engineering Inc.
- GCES Engineering Services LLC
- Geosol Inc.
- GFA International Inc.
- H2R Corp.
- HP Consultants Inc.
- HR Engineering Services Inc.
- Maser Consulting P.A.
- NADIC Engineering Services Inc.
- NOVA Engineering & Environmental LLC
- NUTTING Engineering of Florida Inc.
- NV5 Inc. (KACO)
- Professional Services Industry Inc.
- Radise International LC
- Terracon Consultants Inc.
- Tierra South Florida Inc.
- Universal Engineering Sciences LLC
- Wingerter Laboratories Inc.
- Wood Environment & Infrastructure Solution

According to BMWS, as of March 10, 2021, of the 21 consultants identified for the project six are certified SBE firms:

- Blascom Engineering Inc.
- GCES Engineering Services LLC
- Geosol Inc.
- HP Consultants Inc.
- HR Engineering Services Inc.
- NADIC Engineering Services Inc.

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Research Notes**

**Item No. 3L  
File No. 210212**

**Researcher: MF / Reviewer: PGE**

RESOLUTION APPROVING CHANGE ORDER NO. TWO IN THE AMOUNT OF \$923,133.72 TO POOLE & KENT COMPANY OF FLORIDA FOR CONTRACT NO. S-905R, CD 5.05 UPGRADE OF SEWAGE PUMP STATION NO. 0415 PURSUANT TO MIAMI-DADE WATER AND SEWER DEPARTMENT'S CONSENT DECREE AND CAPITAL IMPROVEMENT PROGRAMS ACCELERATION ORDINANCE, SECTION 2-8.2.12 OF THE COUNTY CODE

**Prime Sponsor(s):** None

**Requester:** Water and Sewer Department

**Committee Action Date:** N/A

**RESEARCH FINDINGS**

OCA's review of the item yielded the following finding:

- Pursuant to Resolution No. [R-1001-15](#), which requires that 85% of the SBE goals are applicable to the portion of the contract work performed to date be met prior to the BCC considering a work order. The SBD memo attached to this item indicates the firm is in compliance; notwithstanding, the SBD memo attached is from August 2020 and this item will be heard by the BCC in April 2021 – eight months from the time this compliance requirement was reviewed.

**ADDITIONAL INFORMATION**

According to OCA's analysis, the contract to Poole & Kent was first awarded the contract in 2017. Pursuant to Ordinance No. [14-77](#), the Mayor's purview encompassed the ability to amend contracts, as well as negotiate and designate change orders for funded capital projects pertaining to Consent Decree projects for the Water and Sewer Department. On September 4, 2019, the BCC approved the first change work order via Resolution No. [R-878-19](#) for a contract increase in the amount of \$418,601 and a 178-day non-compensable time extension.

Table 2 below depicts the value of the initial construction contract, the value of the first change order, and the value of this change order. The total value of two change orders is \$1,341,734.72, a 24% increase from the initial award.

Contract No. S-905R		
Initial Value	First Change Order Value	Second Change Order Value
\$5,646,610	\$418,601	\$923,133.72

OCA conducted due diligence of recommended vendor Poole & Kent Company of Florida in the Capital Improvements Information System (CIIS) and the search yielded the following results:

- [Poole & Kent Company of Florida](#) has 69 evaluations on file with the County with an average score of 3.5 out of a maximum of 4.0.

### **CONTRIBUTORS**

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### **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).