



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

**COMMISSION AUDITOR'S  
INFORMATIONAL RESEARCH**

**BOARD OF COUNTY COMMISSIONERS MEETING**

**September 1, 2021**

**9:30 A.M.**

**Commission Chambers**

Yinka Majekodunmi, CPA  
Commission Auditor

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**BCC Meeting:  
September 1, 2021  
Research Notes**

**Item No. 3A1 Supplement  
File No. 212001**

**Research: CB / Reviewer: PGE**

SUPPLEMENTAL REPORT REGARDING RESOLUTION APPROVING THE CITY OF MIAMI CODESIGNATION OF SOUTHWEST 3<sup>RD</sup> STREET FROM SOUTHWEST 24<sup>TH</sup> AVENUE TO SOUTHWEST 25<sup>TH</sup> AVENUE AS “MARCOS ‘SHAKEY’ RODRIGUEZ WAY”

**Prime Sponsor:** None  
**Requester:** Clerk of the Board  
**Committee Action Date:** None

**RESEARCH FINDINGS**

OCA completed the required background check on “Marcos ‘Shakey’ Rodriguez” and noted no adverse findings. Pursuant to Ordinance No. 18-79, OCA determined that there is no prior Board of County Commissioners (BCC) codesignation for “Marcos ‘Shakey’ Rodriguez.” Pursuant to Ordinance No. 19-11, OCA verified that “Marcos ‘Shakey’ Rodriguez” is deceased. In accordance with the cited ordinances, OCA is providing this report as a Supplement to BCC Agenda File Item No. 211539.

**FINANCIAL ANALYSIS**

N/A

**ADDITIONAL INFORMATION**

Bulleted below is the relevant legislation relating to the background research process:

- [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.
- [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.
- [Ordinance No. 19-11](#), adopted on February 5, 2019, relates to codesignation items, requiring OCA’s report to indicate whether the person to be honored is living or deceased.

**BCC Meeting:  
September 1, 2021  
Research Notes**

**Item No. 5GG  
File No. 212039**

**Research: CB / Reviewer: PGE**

RESOLUTION CODESIGNATING THAT PORTION OF SW 104<sup>TH</sup> STREET FROM SW 79<sup>TH</sup> PLACE TO SW 82<sup>ND</sup> AVENUE AS “REV. JOHN ALESSI STREET”

**Co-Prime Sponsors:** Chairman Jose “Pepe” Diaz, District 12 & Commissioner Raquel A. Regalado, District 7

**Requester:** None

**Committee Action Date:** None

**RESEARCH FINDINGS**

OCA completed the required background check on “Rev. John Alessi” and noted no adverse findings. Pursuant to Ordinance No. 18-79, OCA determined that there is no prior Board of County Commissioners (BCC) codesignation for “Rev. John Alessi.” Pursuant to Ordinance No. 19-11, OCA verified that “Rev. John Alessi” is deceased. In accordance with the cited ordinances, OCA is providing this report as a Supplement to BCC Agenda File Item No. 212039.

**FINANCIAL ANALYSIS**

N/A

**ADDITIONAL INFORMATION**

Bulleted below is the relevant legislation relating to the background research process:

- [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.
- [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.
- [Ordinance No. 19-11](#), adopted on February 5, 2019, relates to codesignation items, requiring OCA’s report to indicate whether the person to be honored is living or deceased.

**BCC Meeting:  
September 1, 2021  
Research Notes**

**Item No. 8A3 and Supplement  
File No. 211834 and 211835**

**Research: TA / Reviewer: PGE**

RESOLUTION APPROVING SUBORDINATION OF MIAMI-DADE COUNTY'S LIEN RIGHTS TO THE SECURITY INTEREST OF AMERANT BANK N.A., F/K/A MERCANTIL BANK, N.A. IN CERTAIN IDENTIFIED PERSONAL PROPERTY OF IAERO THRUST, LLC, A TENANT AT MIAMI INTERNATIONAL AIRPORT; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUCH SUBORDINATION AGREEMENT ON BEHALF OF MIAMI-DADE COUNTY

**Prime Sponsor:** Commissioner Rebeca Sosa, District 6

**Requester:** Aviation Department

**Committee Action Date:** N/A (waived out of the Airports and Economic Development Committee)

**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**

There is no current fiscal impact to the County by subordinating its security interest to Amerant Bank, N.A., f/k/a Mercantil Bank, N.A.; however, there could be a fiscal impact in the future if there is a delinquency or bankruptcy event where the County's access to the borrower's assets would be limited. There have been at least three previous instances wherein the County waived or subordinated its lien rights for MDAD tenants, one of which involves the current lessee/corporate predecessor, in addition to the subject item:

Resolution No. (Date)	Sponsor	Tenant	Annual Revenue from Lease Agreement <sup>1</sup>	Purpose of Financing	Amount of Lender Financing	Type of Personal Property	Landlord Lien Amount
<a href="#">R-1264-99</a> (12/7/99) - Waiver of lien rights	None	Pan Am International Flight Academy, Inc.	Not specified	Financing of personal property	Revolving loan (unspecified amount)	Flight Simulators	Not specified
<a href="#">R-486-01</a> (5/8/01) - Waiver of lien rights	None	Atlas Air, Inc.	\$435,926	Expansion of flight training facility	Financial Lease agreement (unspecified amount)	Flight Stimulator	Not specified
<a href="#">R-675-17</a> (7/6/17) - Subordination of lien rights	Commissioner Jose "Pepe" Diaz	AeroThrust Holdings, LLC	\$512,474.04	Improvements to Building 863 (40-year certification)	\$7M Loan <sup>2</sup>	Various equipment, tools and parts	\$7M to \$7.5M

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**Item No. 8A3 and Supplement  
File No. 211834 and 211835**

**Research: TA / Reviewer: PGE**

<a href="#"><u>Legistar No. 210981</u></a> (Withdrawn) - Subordination of lien rights	Commissioner Rebeca Sosa	iAero Thrust, LLC	\$512,642.04 <sup>4</sup>	Financing of operations	\$25M Revolving line of credit	All of the machinery, inventory, goods, furniture, trade fixtures, equipment, aircraft engines, aircraft engine cores, vehicles, tools, and personal property within the leasehold. <sup>3</sup>	\$7.5M
<a href="#"><u>Legistar No. 211834</u></a> (Pending) - Subordination of lien rights	Commissioner Rebeca Sosa	iAero Thrust, LLC	\$512,642.04 <sup>4</sup>	Financing of operations	\$25M Revolving line of credit	All of the machinery, inventory, goods, furniture, trade fixtures, equipment, aircraft engines, aircraft engine cores, vehicles, tools, and personal property within the leasehold. <sup>3</sup>	\$34.5M

<sup>1</sup> At time of approval of the Resolution.

<sup>2</sup> The resolution and supplement reference the value of the personal property at \$7.5M and \$7M, respectively. According to Legistar No. 210981, the actual loan was \$5M.

<sup>3</sup> The first lien subordination for AeroThrust was for personal property as specified in an exhibit attached to the item. The second lien subordination is for all personal property within the leasehold.

<sup>4</sup> The \$512,642.04 reflected in the item represents the total invoiced amount, which includes utilities and taxes. Rent is actually \$229,397.28.

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*\*When the first subordination request for AeroThrust Holdings was considered at the July 6, 2017 Board meeting (3:47 p.m.), Commissioner Moss questioned why a lien subordination was being done, when it has been done so rarely (only two other times) and given that AeroThrust had a past bankruptcy. MDAD staff responded that the County could not allow the pledge of real property so the personal property of the tenant was being pledged, and the difference was that the financing was needed for redevelopment of the facility, which the County owns, in order to meet standards for the building's 40-year recertification. Commissioner Moss voted No on the item. On May 21, 2021, MDAD confirmed that the upgrades to the facility for the 40-year recertification are on track to be completed by September 2021.*

According to the County Attorney's Office (CAO), the subordination or waiver of lien rights for tenants requires Board approval, unless the Board has delegated such authority to a particular department/director. As the Board has not done so for MDAD, it requires Board approval. The CAO also confirmed it was not aware of any other subordination or waiver of lien rights for any other entities than those referenced above. OCA inquired about the existence of a formal process for the vetting and consideration of requests for waiver or subordination of lien rights to personal property, and MDAD advised that a formal procedure does not exist.

As noted in the mayoral memos for these agenda items and a [supplemental report](#) to one of the items, it is typical for a lender to require a landlord to subordinate its lien rights to real or personal property in the case that the tenant defaults on the loan; as real property at the airport cannot be pledged, personal property located at the leased premises may be used as collateral. As evidenced above, it has been the policy of the Board to approve subordinations or waivers of the County's Landlord Lien Rights to help tenants obtain financing for improving their facilities or purchasing additional equipment, when the tenant is current in its rent and the required security deposit is on file with MDAD. The security deposit can be used to cover payment of whatever amounts may be due, rather than seizing the assets, selling them at public sale, and attempting to cover the unpaid amounts through the proceeds of the sale, which are uncertain and may or may not cover the unpaid amounts. As opposed to a waiver (which is a complete release of lien rights), a subordination places the County in a second position behind the Lender, which offers the County an opportunity to recover whatever may be left over if the Lender does not have to dispose of all of the assets.

The fiscal impact for the previous Board-approved items confirmed that the County did not receive any direct monetary return for granting a waiver or subordination, but the County does benefit from being able to assist with the growth of the local aviation industry and the community.

**ADDITIONAL INFORMATION**

The subject resolution is similar to [Legistar No. 210981](#), which was considered at the May 11, 2021 AEDC meeting. The main difference is that the value of iAero Thrust's personal property is now valued at \$34.5M (it was originally valued at \$7.5M). At the time the original item was considered, OCA's review of the item found the following:

1. iAero Thrust, LLC (formerly known as AeroThrust Holdings, LLC) had outstanding receivables due to the County.
2. Aerothrust Corporation, the entity that was acquired through bankruptcy proceedings as a "successor in interest" by AeroThrust Holdings, LLC, has outstanding receivables that have been written off due to a settlement agreement.

At the May 11, 2021 AEDC meeting, several questions were raised regarding the item, resulting in a deferral to the June 9, 2021 AEDC meeting; the item was ultimately withdrawn from that agenda. The supplement to the subject resolution addresses the questions that were raised.

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File No. 211834 and 211835**

**Research: TA / Reviewer: PGE**

**Firm Overview**

iAero Thrust, LLC (iAero Thrust) provides a range of aircraft engine Maintenance, Repair, and Overhaul (MRO) services, including end-of-lease inspections; engine parts repair and overhaul, and complete engine repair and overhaul. The company has been operating at Miami International Airport (under different names/ownerships) since 1946. The current lease agreement with iAero Thrust is in effect until January 1, 2028 and generates approximately \$512,642.04 in annual revenue to the County.<sup>1</sup> Under construction at the same site is the iAero Thrust Engine Test Center, which is anticipated to be open later in 2021.

General Business Information	
Corporate Registration	Active For-Profit Florida Limited Liability Corporation
Principal Address	5300 N.W. 36 <sup>th</sup> Street, Building 863 Miami, FL 33166
Principals/Officers	David Doerr, Chief Operating Officer Robert Caputo, Managing Director
Date Filed	October 15, 2010 (as AeroThrust Holdings, LLC) February 4, 2020 (Name change to iAero Thrust, LLC) <sup>2</sup>
Workforce	30 employees (As of 8/15/20)*
Annual Revenues	\$7,734,773 Estimated (Revision date: 6/5/21)
Standard Industry Classification (SIC) Code	7699 2200 – Aircraft and Heavy Equipment Repair Services

Sources: [Sunbiz.org](https://sunbiz.org); Dunn & Bradstreet, August 25, 2021.

*\*Dunn & Bradstreet data for the past 3 years indicates there are 30 employees, but Aero Thrust's [website](#) and the mayoral memo for [Resolution No. R-585-18](#) makes reference to there being over 100+ employees. Subsequent to a request from OCA, the final amended [resolution](#) from 2018 was posted in Legistar in May 2021.*

**Ownership History**

This company has undergone name changes through acquisitions, but has not changed its business operations:

- 1946 – Air Carrier Engine Services, Inc.
- 1982 – AeroThrust Corporation
- 2010 – AeroThrust Holdings, LLC
- 2020 – iAero Thrust, LLC

<sup>1</sup> A 10-year lease was approved by the Board on June 5, 2018 via [Resolution No. R-585-18](#), but the mayoral memo for the latest agenda item ([Legistar No. 210981](#)) states that the lease ends on January 1, 2028, while page 8 of the item states that the lease terminates on April 30, 2028. A substitute item to correct the dates is shown as Legistar No. 211368 on the intra site.

<sup>2</sup> The mayoral memo for [Legistar No. 210981](#) states that the name change occurred in 2019.



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**Research: TA / Reviewer: PGE**

**Background**

In 1946, Air Carrier Engine Services, Inc. (ACES) opened for business at Miami International Airport. On December 16, 1946, ACES received its Repair Station Certificate #3604 from the Civil Aeronautics Administration (predecessor to the FAA) to service aircraft engines. ACES was then acquired by AeroThrust Corporation, a company incorporated in Delaware; in 1982, its name was changed to the same (AeroThrust Corporation).

In December 2009, AeroThrust Corporation filed a Chapter 11 reorganization petition in Wilmington, Delaware; however, the reorganization failed and a liquidation occurred instead. At the time of the bankruptcy declaration, it was reported in the [South Florida Business Journal](#) that its business was heavily impacted by the September 11 terrorist attacks and, after 2008, high oil prices and the recession hurt the company's revenue and profitability. In 2010, AeroThrust Holdings, LLC (AeroThrust Holdings) acquired the Miami-based AeroThrust in the bankruptcy proceedings. AeroThrust Holdings had completely different corporate officers/principals than AeroThrust.

As a long-term tenant at MIA (Building 863 and Building 703A), AeroThrust had not complied with industrial waste permits (IWP) for its plating facility that it was required to obtain from then-DERM. In 2011, MDAD asserted various claims against Aerothrust in the bankruptcy proceedings, totaling \$2,475,204.67:

- A Chapter 11 administrative claim of \$230,000 for environmental clean-up related to Buildings 863 and 703A;
- A Chapter 11 administrative claim of \$70,444.93 for AeroThrust's use of the buildings in April, May, and June, plus July 1-19, 2010;
- A Chapter 7 administrative expense claim of \$44,491.53 for the Chapter 7 use of the buildings from July 20 through July 31, 2010;
- A pre-petition claim of \$1,290,961.21 for rents and other obligations arising out of the pre-bankruptcy use of the buildings; and
- A pre-petition claim of \$839,307.00 arising out of AeroThrust's failure to leave the buildings in the state of repair required by the leases.

For MDAD to secure as much as possible as a creditor to AeroThrust in the bankruptcy proceedings, the Miami-Dade Board of County Commissioners (Board) approved a Settlement Agreement via [Resolution No. R-395-11](#)<sup>3</sup> with the Chapter 7 Bankruptcy Estate of AeroThrust, PNC Bank (the secured party of AeroThrust's assets); AeroThrust Holdings LLC (the successor to and purchaser of AeroThrust's assets), and the County (MDAD and DERM), which, among other things, provided that:

- AeroThrust Holdings would execute five-year leases for both buildings (generating rental revenue for MDAD); and
- \$230,000 would be made available to the County for AeroThrust Holdings to complete the environmental cleanup, with AeroThrust Holdings being responsible for costs in excess of that amount (as full payment of past rents due).

<sup>3</sup> This resolution was placed on the agenda by the County Attorney's Office. The item appears to have been approved as part of the Board's consent agenda with no discussion.

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File No. 211834 and 211835**

**Research: TA / Reviewer: PGE**

In 2018, AeroThrust Holdings, LLC was acquired by iAero Group, a privately-held aerospace company which also acquired airframe MRO Miami Tech Aircraft Maintenance in 2018 and Swift Air (a charter airline) in 2019. These companies were rebranded as iAero Thrust, iAero Tech, and iAero Airways, respectively. AeroThrust Holdings officially changed its name to iAero Thrust in February 2020. Blackstone Group, an investment management company based in New York with an office in Miami, is a minority equity owner of iAero Group.

**Due Diligence Findings**

- AeroThrust Corporation (an inactive corporation) and iAero Thrust were showing on the Finance Department's Delinquent Contractors report, as of February 28, 2021:
  - AeroThrust Corporation had outstanding receivables of \$1,636,505.40 due to MDAD (more than 365 days old, as of February 28, 2021) – According to the report, this account was written off, meaning the department took it off its books as an accounting transaction, but the Finance Department noted that it does not preclude the County from collecting the debt.
  - iAero Thrust had outstanding receivables of \$94,679.78 due to MDAD (more than 180 days old, as of February 28, 2021).

*In response to OCA's inquiries regarding these delinquencies, MDAD confirmed in June 2021 that, as a result of the Settlement Agreement referenced above ([Resolution No. R-395-11](#)), the accrual of \$1,636,505.40 (representing rent and delinquency charges) on AeroThrust Corporation's account was written-off. MDAD also noted that this liability was not attributed to AeroThrust Holdings, LLC, which was formed in October 2010 by a different ownership group from AeroThrust Corporation. As of June 8, 2021, iAero Thrust was indebted to MDAD for \$20,889.78, but this arrearage was due to rent deferred under a COVID-19 relief agreement executed by the company which it has until July 30, 2021 to settle. According to MDAD, as of August 25, 2021, iAero Thrust is current with their rent payments.*

- There were no adverse findings related to this firm's principals/officers. iAero Thrust's corporate officers, David Doerr and Robert Caputo, serve on the Board of Directors for iAero Group. Mr. Caputo is also the sole corporate officer for iAero Thrust Engine Test Center, LLC.
- iAero Thrust is not currently registered as a vendor with Miami-Dade County and has no active lobbyist registered on its behalf with the Clerk of the Board.
- At a July 6, 2017 Board meeting (3:44pm) regarding [Resolution No. R-675-17](#)<sup>4</sup>, MDAD stated on the record that the environmental cleanup as required by the bankruptcy settlement was satisfactorily performed and paid for by PNC Bank (the bankruptcy Trustee).
- An audit found that AeroThrust Holdings had been occupying additional space in the building for storage purposes. The company entered into a payment plan on April 5, 2018 to pay MDAD \$163,605.67 on April 9, 2018, which was paid, and \$37,796.84 in 11 monthly payments thereafter to meet the additional space rental payment obligation.

<sup>4</sup> The final amended version of this resolution is not available in Legistar as it was never submitted to the Clerk's Office.

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File No. 211834 and 211835**

**Research: TA / Reviewer: PGE**

On May 21, 2021, MDAD confirmed that the obligations were paid in full, but the department was not able to locate a copy of the audit.

- On January 26, 2021, [Miami-Dade County Public Schools](#) announced George T. Baker Aviation Technical College's partnership with iAero Group to enhance aviation maintenance technician/mechanic training and address the global shortage of long-term technicians and mechanics. iAero Group donated a Lear Jet and a plane engine to improve the quality of students' hands-on training experience. The company will also bring employee mentors and guest speakers, and sponsor visits to iAero Group's different facilities.

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Research Notes**

**Item No. 8F1  
File No. 211606**

**Research: MF / Reviewer: PGE**

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01679 TO WASTE CONNECTIONS OF FLORIDA, INC. FOR THE PURCHASE OF INTERNATIONAL WASTE HAULING AND DISPOSAL SERVICES FOR THE MIAMI-DADE AVIATION DEPARTMENT WITH AN AMOUNT NOT TO EXCEED \$13,750,200.00, FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD TO WASTE CONNECTIONS OF FLORIDA, INC., 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

**Prime Sponsor:** None

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

**Committee Action Date:** 7/13/21 – Airports and Economic Development

**RESEARCH FINDINGS**

OCA's review of the item yielded the following research findings. Refer to Additional Information section for more details.

1. Pursuant to Resolution No. [R-63-14](#), which requires potential vendors to submit an affidavit detailing history of lawsuits, defaults, debarment, and non-performance in the past five years, the recommended vendor's principal corporation, Waste Connections US, Inc. et al, is currently a defendant in a class action lawsuit. The subject complaint, *Voodoo Leatherworks LLC v. Waste Connections US, Inc. et al*, (Case No. 1:21-CV-02005), was filed July 23, 2021, in the U.S. District Court, District of Colorado (Denver). According to the complaint, the company engaged in the systematic practice of unlawfully overcharging customers by imposing "unlawful and excessive" rate increases in violation of the uniform contract. There is no status update yet on this case, as the lawsuit was recently filed. For the subject replacement contract, MDAD confirmed that the scope includes waste removal services.
2. The recommended contractor is also a co-defendant in a civil lawsuit, *Addison, et al. v. Louisiana Regional Landfill Company, et al* (Case No. 2:19-CV-11133), originally filed July 25, 2018 in the 24<sup>th</sup> Judicial District Court for the Parish of Jefferson, State of Louisiana, and subsequently transferred on June 10, 2019 to the U.S. District Court, Eastern District of Louisiana (New Orleans). According to the complaint, the defendants failed to ensure that the design, operation, and maintenance of the Jefferson Parish Landfill complies with applicable environmental laws and adequately protects plaintiffs' health and environment. As such, the lawsuit states, the toxic releases from the landfill have resulted in the petitioners' loss of use and enjoyment of their homes and property and caused physical harm including difficulty breathing, coughing, nausea, burning eyes, ears, and noses, and throats. As per the latest docket information on August 13, 2021, the case is still in the discovery phase; attorneys for the plaintiffs are slated to provide information pertaining to any deceased plaintiffs (and their heirs or representatives) to defendants by September 3, 2021.

**FINANCIAL ANALYSIS**

Table 1 below provides the funding source and expenditure for the subject item as it relates to the County's budget.

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**Item No. 8F1  
File No. 211606**

**Research: MF / Reviewer: PGE**

**Table 1**

Has the expenditure or revenue been budgeted for?					
If yes:			If no:	If Applicable	
Provide the budget line item where this expenditure or revenue can be identified. Include the Budget Book Page number, if applicable.	Provide the funding or revenue source(s).	Provide the Financial index or account code.	Explain why this expenditure or revenue was not budgeted for, including how the expenditure will be addressed, or what the revenue will be utilized for.	Provide the actual expenditures/revenues in FY19-20.	Provide the projected expenditures/revenues in FY20-21.
Utilities – Budget Book Page 207	Operating Funds EA101	AV1434 Account 722121	Budgeted but at a lower amount. New contract includes equipment purchase and additional services.	\$1,103,257	\$643,223

**ADDITIONAL INFORMATION**

As part of OCA's due diligence, the following inquiries were sent to Miami-Dade Aviation Department (MDAD) – the user department for this item – on July 28, 2021. The Department replied on August 9, 2021, and the responses are summarized in the sub-sections below.

***Change of Scope and Increased Contract Amount***

According to the mayoral memo, the replacement contract is higher than the current contract due to an updated scope of work and increased number of pick-ups. As such, OCA sought clarification from MDAD pertaining to the reasons for the change of scope as well as the resulting higher cost and frequency of pick-ups. MDAD did not address the inquiry with a detailed response. According to MDAD, the recommended vendor will provide labor, supervision, materials, hauling equipment, permits and agreements necessary to perform the removal, processing, and disposal of regulated garbage from seven sites at MIA and two sites at the General Aviation Airports. Per MDAD, the contract amount of \$13,750,200 is inclusive of costs, taxes, and fees associated with the following services: lease, rental, or replacement of compactors and containers; all pick-ups; disposal and collection fees; franchise fees; environmental fees; fuel costs; fuel recovery fees; fuel surcharges; shipping; and transportation costs and landfill fees (pursuant to Chapter 15, [Section 15-25.2](#) of the County Code).

***In-house Capabilities and Compliance with Federal Standards***

According to MDAD, the County's Solid Waste Department does not currently meet the required federal guidelines for International Waste, thus, it does not have the capability to fulfill the needed services as per the contract's scope. Additionally, the County no longer has an incinerator at MIA. Pertaining to the contractor's compliance with regulatory standards, MDAD indicated that the contractor – Waste Connections of Florida, Inc. – has provided proof of its compliance agreement along with the bid submittal. Furthermore, ISD received written confirmation from U.S. Customs

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**Research: MF / Reviewer: PGE**

and Border Protection (CBP) that the contractor does have an active USDA Animal and Plant Health Inspection Service (APHIS) Compliance Agreement for handling regulated garbage in Florida. The USDA-APHIS oversees federal regulations for regulated garbage, while CBP ensures appropriate handling of garbage at U.S. ports of entry.<sup>1</sup>

***Replacement Contract Timeline***

Pursuant to Resolution No. [R-333-01](#), the current contract was awarded via a bid waiver to vendor BFI Waste Systems of North America, Inc. on April 10, 2001 for a five-year term with three, five-year option-to-renew terms, expiring January 31, 2022. Table 2 below displays the reprourement timeline for subject replacement *Contract No. FB-01679*, with a recommendation for award to Waste Connections of Florida, Inc.

**Table 2**

<b>Contract No. FB-01679 International Waste Hauling and Disposal Services<sup>2</sup></b>	
<b>Milestone</b>	<b>Date</b>
Release ITB/FB (advertisement) on BidSync	4/5/21
Pre-Bid Conference	4/9/21
Site Visit	4/14/21
BidSync Q&A Period Ends	4/16/21
Bid Due Date	4/26/21
Review Bids for Responsiveness	4/30/21
CAO Legal Responsiveness Request/Meeting (if needed)	N/A
Conduct Competency Site Visit (if applicable)	N/A
Evaluation	5/7/21
Request to Award submitted	5/12/21
Award Recommendation Approved by SPD	5/28/21
Award Recommendation Approved by CM	6/22/21
Award Recommendation Filed with Clerk of Board/Emailed to Bidders	6/22/21
Protest Period Expires (3 business days if over \$25,000)	6/25/21
Committee Agenda (if over \$1 million)	7/13/21
BCC Agenda (if over \$1 million)	9/1/21
Ten Calendar Day Mayoral Veto Period Expires (if BCC)	TBD

OCA's review of the County's Business Management Workforce System (BMWS) shows the recommended vendor – Waste Connections of Florida, Inc. – has been awarded six contracts (inclusive of master contracts) since 2013, with a cumulative total of more than \$50.1 million. Table 3 below depicts the contract number(s)/applicable legislation and title, term, and value of each.

<sup>1</sup>U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Regulated Garbage, [https://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/regulated-garbage/CT\\_Regulated\\_garbage](https://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/regulated-garbage/CT_Regulated_garbage)

<sup>2</sup>Email correspondence from MDAD received August 9, 2021.

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**Item No. 8F1  
File No. 211606**

**Research: MF / Reviewer: PGE**

**Table 3**

<b>Waste Connections of Florida, Inc<sup>3</sup></b>		
<b>Contract No. and Title</b>	<b>Term</b>	<b>Value / Original Value</b>
RFP545C-1 Collector for Curbside Recycling	October 1, 2015 – Sept. 30, 2022	\$23,870,000
FB-00293-1(2)_0003 (Master Contract No. FB-00293-1(2)) County Facilities Recycling Program	August 1, 2019 – July 31, 2021	\$1,158,606
6938-2/22-2_0001 (Master Contract No. 6938-2/22-2) Garbage Collection and Disposal	December 1, 2020 – November 30, 2022	\$5,651,000
6938-2/22-0003 (Master Contract No. 6938-2/22) Garbage Collection and Disposal Services	December 1, 2013 – November 30, 2018	\$19,220,688
<a href="#">R-785-15</a> Municipal Solid Waste Disposal	September 16, 2015 – October 1, 2035	\$250,000
<b>TOTAL: \$50,150,294</b>		

According to ISD's due diligence for this solicitation, MIA collects an average of more than 10,000,000 lbs. of regulated garbage yearly – except in 2020 due to the COVID-19 pandemic. According to the procurement documents for this item, the quantity of trash that bidders utilized for purposes of cost submission for calendar year 2021 was: MIA - 11,616,000 lbs. of trash.; Opa-Locka Airport - 156 pick-ups; and Miami Executive Airport - 156 pick-ups. It is unclear how MDAD arrived at said estimated quantities for 2021; notwithstanding, bulleted below are the annual total lbs. of trash collected at MIA in the past four years:<sup>4</sup>

- 2017 – 10,520,000 lbs.
- 2018 – 11,778,000 lbs.
- 2019 – 12,550,000 lbs.
- 2020 – 4,554,000 lbs.

OCA conducted an independent review of the top waste hauling and management service businesses in North America that may be capable of delivering the solicited services. The findings indicate that ISD's market research for this item aligns with industry standards. According to an August 2019 report from [Waste Today Magazine](#), the recommended contractor for the subject item – Waste Connections – ranks third in terms of highest revenue generators on the list of top 40 waste management companies. Per the trade publication, the metrics utilized to rank the companies consisted of

<sup>3</sup>Miami-Dade County Business Management Workforce System, Retrieved August 18, 2021, <https://mdcsbd.gob2g.com/>

<sup>4</sup>Miami-Dade County Internal Services Department, BCC Item Notes RE: Legistar Item No. 211606, Retrieved August 19, 2021.



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**Research: MF / Reviewer: PGE**

a review of public records, surveys, and contact with industry analysts. The magazine listed the top 10 national players in the waste management arena as:

1. Waste Management
2. Republic Services
3. Waste Connections
4. Stericycle
5. Clean Harbors
6. GFL Environmental
7. Covanta Energy
8. Recology
9. Waste Pro
10. Casella Waste Systems

OCA's due diligence also yielded other legal cases regarding recommended contractor Waste Connections Inc. Bulleted below is a synopsis of said complaints.

1. According to a Law360 article from April 27, 2021, Waste Connections tacks on additional fuel and inflation charges to contracts to remove solid waste – but said charges purportedly are not representative of extra company costs.<sup>5</sup> The allegations are the subject of a class action lawsuit that centers upon the company's contention that its prices can go up to "adjust for increases in the Consumer Price Index" as well as increases in fuel and materials costs. The lawsuit – *MDE with R & R Pest Control Inc. v. Waste Connections US, Inc., and Waste Connections Palmetto, Inc.*, – was filed April 23, 2021 (Case No. 7:21-cv-01207-DCC) in the United States District Court of South Carolina (Spartanburg Division). According to the lawsuit, the defendant engaged in two separate actions: charging unlawful and excessive fuel surcharges and price increases. According to the latest docket activity on the case, as of April 26, 2021, a summons had been issued to Waste Connections, Inc. The case is pending further action.
2. The State of Illinois filed a [lawsuit](#) against a Waste Connections subsidiary on September 29, 2017. The suit, *People of the State of Illinois, ex rel. Kwame Raoul, Attorney General of the State of Illinois v. Winnebago Landfill Company, LLC et.*, (Case No. 2017-CH-0000738) was filed in the Circuit Court of the Seventeenth Judicial Circuit Winnebago County, Illinois (Chancery Division). According to the complaint, an inspector from the Environmental Protection Agency (EPA) visited the defendant's landfill site on separate occasions in 2016 and detected landfill gas odors outside of the permitted landfill's boundary. Additionally, the EPA received approximately 240 complaints spanning January 1, 2019 through November 3, 2019 from local residents objecting to the landfill gas odors; some residents stated the emitted gas odors caused some of them to suffer from nausea, burning throats, and headaches. According to the latest available docket information, there was a virtual case status update held on January 13, 2021. The case is pending further action.

<sup>5</sup>Law 360, *Suit Accuses Waste Connections of Improper Surcharges*, April 27, 2021, <https://www.law360.com/articles/1378922/suit-accuses-waste-connections-of-improper-surcharges>



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**Item No. 8F2  
File No. 211616**

**Research: TA / Reviewer: PGE**

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY UP TO \$63,186,375.00 FOR A TOTAL MODIFIED PREQUALIFICATION POOL AMOUNT OF \$289,614,737.00 FOR PREQUALIFICATION POOL NO. 9562-5/22 FOR PURCHASE OF JANITORIAL SERVICES FOR THE MIAMI-DADE AVIATION DEPARTMENT

**Prime Sponsor:** None

**Requester:** Internal Services Department

**Committee Action Date:** 7/13/21 Airports & Economic Development Committee

**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.

**FISCAL IMPACT ANALYSIS**

This pool contract modification will provide additional expenditure authority of \$63,186,375 for an approximately 17-month period (August 2021 to December 2022) for the Miami-Dade Aviation Department (MDAD). In December 2018, the previous allocation for MDAD was approved via [Resolution No. R-1306-18](#) for \$40,072,750, which was the projected need for one year, based upon the existing and anticipated service requirements, as well as the Living Wage adjustments required per [Section 2-8.9 of the County Code](#). According to ISD Procurement, this expenditure authority was actually sufficient for MDAD's needs to be met until approximately August 2021 (i.e., approximately 32 months). In response to OCA's inquiry as to what accounted for the relatively higher allocation compared to the last request, ISD Procurement indicated that approximately \$6,000,000 is attributed to additional services related to COVID-19 but could not specify the exact cost associated with the Living Wage, as it was embedded into the pricing under the work orders. On August 11, 2021, OCA requested a further breakdown of the allocation difference, as the mayoral memo only references additional services needed to mitigate the spread of COVID-19. MDAD indicated that, besides the Living Wage adjustment, the requested allocation was to provide services until the end of the contract term.

In response to an inquiry by OCA, ISD Procurement indicated that Zones 1 and 2 required additional services related to COVID-19. OCA requested the reasoning why there was not a similar need for Zones 3 and 4, which include non-terminal buildings and airport properties accessed by the public, private companies, and County employees. According to MDAD, since Zones 3 and 4 are non-terminal areas, the tenants are responsible for additional cleaning required due to COVID-19.

It should be noted that, according to the Bid Tracking System (BTS), as of August 11, 2021, the four blanket purchase orders to cover services for each of the four Zones still has \$15,595,915 total remaining. On August 9, 2021, ISD Procurement advised OCA that there is only enough spending authority to cover services until August 2021, and this proposed modification is to ensure MDAD's needs are met for the four contracts (Zones 1 to 4) awarded under this pool through the expiration date of December 31, 2022.

On July 28, 2021, OCA requested the following financial information from MDAD:

(see the next page)

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**Research: TA / Reviewer: PGE**

Has the expenditure or revenue (as applicable) been budgeted for?					
If yes:			If no:	If applicable:	
Provide the budget line item where this expenditure or revenue can be identified. Include the Budget Book Page number, if applicable.	Provide the funding or revenue source(s).	Provide the Financial index or account code.	Explain why this expenditure or revenue was not budgeted for, including how the expenditure will be addressed, or what the revenue will be utilized for.	Provide the actual expenditures/revenues in FY19-20.	Provide the projected expenditures/revenues in FY20-21.
N/A	Operating Funds EA101	AV1472, AV1473, AV1474, AV1475 Account 722341	Budgeted but due to the COVID pandemic, additional allocation had to be used for safety services	\$ 35,729,191	\$ 31,082,104

**ADDITIONAL INFORMATION**

The original pre-qualification pool (No. 9562-5/22) was established via [Resolution No. R-456-12](#) in an amount up to \$92,000,000. The contract was actually established in the amount of \$72,574,060. Since then, there have been several modifications to the pool as follows:

Contract Term	Contract Value
Initial Term (6/8/12 to 6/30/17)	\$72,574,060
Initial Term – Administrative modification #1 (7/8/13)	+\$450,000
Initial Term – Administrative modification #2 (8/23/13)	+\$342,000
Initial Term – Administrative extension #1 (extended to 8/31/17)	No change
Initial Term – Administrative extension #2 (extended to 11/30/17)	No change
Initial Term – Administrative extension #3 (extended to 12/30/17)	No change

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File No. 211616**

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BCC approval of five one-year OTRs via <a href="#">Resolution No. R-1174-17</a> on December 5, 2017 (1/1/18 to 12/31/22)	\$111,169,940
BCC modification via <a href="#">Resolution No. R-1306-18</a> on December 18, 2018 to add MDAD allocation	+\$40,072,750
OTR – Administrative modification #1 (3/12/20)	+\$18,700
OTR – Administrative modification #2 (7/10/20)	+\$50,000
BCC ratification of administrative modifications via <a href="#">Resolution No. R-20-21</a> on January 20, 2021 for services related to COVID-19	+\$949,087
OTR – Administrative modification #3 (3/11/21)	+\$801,824
<b>Total Cumulative Allocation</b>	<b>\$226,428,361</b>

*Red font indicates allocations beyond the original contract value.*

MDAD previously acquired janitorial services under its own contract that expired in January 2019. On December 18, 2018, the submittals for a replacement solicitation (MDAD-03-16) were rejected via [Resolution No. R-1307-18](#) due to irregularities in the proposals that were referred to the Inspector General and delays causing the pricing to become outdated. OCA inquired about the status of a replacement solicitation given that this pre-qualification pool contract expires in December 31, 2022, and ISD Procurement indicated that MDAD will remain a part of this countywide janitorial services pool contract. OCA's review of BTS found no indication of the status of the replacement contract.

OCA conducted due diligence on the awarded firms for the MDAD contracts (C&W Facility Services, N&K Enterprises, Inc., and SFM Services, Inc.) and the following pending litigation was found:

- *Karen Stinson v. Miami-Dade County, Florida, et al.*; Eleventh Judicial Court, Miami-Dade County; Case No.: 2021-000977-CA-01. **N&K Enterprises, Inc.** is one of the named defendants accused of negligently maintaining the premises at Miami International Airport (MIA) and failing to adequately and reasonably maintain a safe mode of operation (specifically, the Dolphin parking garage floor was wet and slippery and there was no signage), resulting in the Plaintiff falling and sustaining injuries on August 2, 2020. Status: A motion for a hearing was filed on July 20, 2021.
- *Clausen v. Cushman & Wakefield U.S., Inc. et al.*; U.S. District Court, Southern District of New York; Case No.: 1:21CV06022. **C&W Facility Services, Inc.** is one of the named defendants accused of discriminating against Plaintiff on the basis of her gender by denying her advancement opportunities and subjecting her to a hostile work environment and terminating her employment on July 7, 2021. Status: The complaint was filed on July 14, 2021.<sup>1</sup>

<sup>1</sup> [Resolution No. R-828-19](#) established a policy requiring prospective contractors to disclose past and present discrimination lawsuits in solicitation submissions for the ten years prior to the date of the solicitation or non-competitive award recommendation. The County awarded the contracts (Zone 1 and Zone 2) to C&W Facility Services, Inc. in July 2020.

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- *District Council 16 Northern California Health and Welfare Trust Fund et al v. C&W Facility Services Inc.*; U.S. District Court, Northern District of California; Case No. 4:21-CV-04249. **C&W Facility Services, Inc.** is one of the named defendants accused of breaching its Collective Bargaining Agreements by failing to make delinquent fund contributions and prompt payments to the funds for all of its covered employees in violation of the Employee Retirement Income Security Act (ERISA). Status: Stipulation to extend the defendant's time to respond to complaint was filed on July 28, 2021 because an agreement to settle this matter in principle has been reached and additional time is required to reduce the settlement agreement to written terms.
- *Jorge Ruiz Quezada v. C&W Facility Services, Inc.*; U.S. District Court, Central District of California; Case No. 2:21-CV-03458 (Class action). **C&W Facility Services, Inc.** is one of the named defendants who failed to pay minimum wages, overtime wages and hours worked for meal and rest periods, causing plaintiff and other class members to suffer damages in violation of the California Labor Code. Status: This case was transferred from U.S. District Court, North District of California to the Central District Court.
- *Nidian Del Carmen Orozco v. C&W Facility Services, Inc., et al.*; 11<sup>th</sup> Judicial Circuit, Miami-Dade County; Case No. 2020-024179-CA-01. **C&W Facility Services, Inc.** is one of the named defendants (including Miami-Dade County) accused of failing to maintain its premises (at MIA) in a safe condition by allowing a dirty, slippery substance to remain on the floor in an area where patrons are expected to traverse (specifically, the walkway from Gate 49 to Gate 51) creating a dangerous condition that caused the plaintiff to fall and get seriously injured on July 23, 2019. Status: Hearing is scheduled on November 30, 2021.
- *Susanne Bethke, et al. v. C&W Facility Services, Inc.*; 11<sup>th</sup> Judicial Circuit, Miami-Dade County; Case No. 2020-023783-CA-01. **C&W Facility Services, Inc.** is one of the named defendants (including Miami-Dade County) accused of failing to maintain its premises (at MIA) in a safe condition, causing the Plaintiff to slip and fall in a puddle of clear liquid while walking through Terminal D. Status: Hearing is scheduled on August 30, 2021 to consider the defendant's motion to dismiss.

In addition, OCA found that SFM Services (SFM) had two "serious" and one "other" violation on November 24, 2020 reflected in the Office of Occupational Safety and Health Administration's (OSHA's) violations website. According to ISD Procurement, the allegations were: (1) An SFM employee diluting chemicals did not have eye protection; (2) Eye wash station was not present or used; and (3) Employees were not informed of hazardous chemicals introduced to the building. ISD Procurement noted that corrective actions were taken immediately, and documentation was provided to OSHA. These incidents occurred at 100 SE 2<sup>nd</sup> Street, Miami, FL 33131 (Miami Tower). No performance issues were documented in BTS; OCA also confirmed with ISD Procurement that there are no issues with any of the vendors. While there are firms in the current pool that have or have had small business or wage violations, the three firms on these contracts have not had any such violations for at least the past three years.

When this pool was last modified in December 2018 via [Resolution No. R-1306-18](#), the mayoral memo indicated that 77% of the total dollar value under this pool was awarded to Small Business Enterprises (SBEs). According to ISD Procurement, SBEs make up approximately 20 of the 35 (or 56%) of the active vendors in the pool and, as of August 2021, SBEs have been awarded approximately \$25,042,205.61 in work.

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**Item No. 8F3  
File No. 211617**

**Research: VW / Reviewer: PGE**

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$4,320,000.00, CONSISTING OF \$1,640,000.00 FOR THE CURRENT TERM AND \$2,680,000.00 FOR THE FIVE-YEAR OPTION TO RENEW TERM FOR A MODIFIED TOTAL CONTRACT AWARD OF \$15,906,220.00 FOR CONTRACT NO. SS9863-1/26 FOR THE PURCHASE OF INET SYSTEMS PARTS AND REPLACEMENT FOR THE MIAMI-DADE AVIATION DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY EXTENSION, RENEWAL OR CANCELLATION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

**Prime Sponsor:** None

**Requester:** Internal Services Department

**Committee Action Date:** 7/13/21 – Airports and Economic Development Committee (AEDC)

**RESEARCH FINDINGS**

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

1. The market research conducted by ISD on behalf of Miami-Dade Aviation Department (MDAD) reveals that MDAD did not conduct a replacement cost analysis to determine that the exercise of the OTR was in the County's best financial interest.

**FINANCIAL ANALYSIS**

On July 28, 2021, OCA requested the following financial and budget information from MDAD.

Legistar No.	Has the expenditure or revenue (as applicable) been budgeted for?					
	If yes:			If no:	If applicable:	
	Provide the budget line item where this expenditure or revenue can be identified. Include the Budget Book Page number, if applicable.	Provide the funding or revenue source(s).	Provide the Financial index or account code.	Explain why this expenditure or revenue was not budgeted for, including how the expenditure will be addressed, or what the revenue will be utilized for.	Provide the actual expenditures/revenues in FY19-20.	Provide the projected expenditures/revenues in FY20-21.
<a href="#">Legistar No. 211617 - INET</a>	Outside Contracts - Budget	Proprietary Revenue	722430		\$1,596,700	\$1,362,000

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<a href="#">Systems Parts and Replacement (MDAD) - VW</a>	Book Page #207					
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**ADDITIONAL INFORMATION**

Cavotec has provided pre-conditioned air (PCA) systems and 400 hertz aircraft ground power systems equipment and services to the County for over 14 years. On March 20, 2007, the Board approved a sole source contract, Contract No. SS8014-2/16 *INET Systems Parts, Maintenance and Replacement*, to INET Airport Systems, Inc. for a term of three years with two three-year options-to-renew (OTR) through [Resolution No. R-344-07](#). The original contract award was for \$4,451,000 which increased to \$5,341,000 after contract modifications in the amount of \$890,000 were approved on March 15, 2010. On August 17, 2011, the Swedish firm Cavotec acquired INET Airport Systems, Inc through one of its subsidiaries, Cavotec USA Inc. On September 17, 2013, the Board approved an additional allocation of \$4,391,000 for the contract's second OTR through [Resolution No. R-737-13](#). The total allocation after all modifications for the contract's initial three-year term and the two three-year OTRs was \$20,414,000. The justification provided by the department for approval of a non-competitive sole source contract was that since the pre-conditioned air (PCA) systems and 400 hertz aircraft ground power systems were patented by INET, INET was the only vendor that could provide factory authorized service and original equipment manufacturer replacement parts. On December 6, 2016, the Board approved a replacement contract, Contract No. SS9863-1/26, *INET Systems Parts and Replacement*, for a five-year term with one five-year OTR through [Resolution No. R-1144-16](#). The contract is currently in the initial five-year term and has a modified contract allocation of \$6,316,220 with the initial term set to expire on December 31, 2021.

During the December 6, 2016, BCC meeting, when the replacement contract for Contract No. SS9863-1/26, *INET Systems Parts and Replacement* was being considered, then-Commissioner Moss questioned MDAD as to why the contract was continuously being awarded to the same vendor and whether that was the most cost-effective option for the County. On July 28, 2021, OCA contacted MDAD to inquire as to what type of cost analysis was conducted to conclude that it was in the County's best financial interest to exercise the five-year OTR instead of competitively bidding the services.

The Internal Services Department (ISD) conducted market research on behalf of MDAD to examine comparable vendors and contracts. According to the market research, competition for the services instead of exercising the OTR was not an option given that Cavotec's parts and components of the INET systems currently installed at MIA are proprietary and as such Cavotech is the sole entity authorized to sell or maintain its equipment. In addition, MDAD explained that "...although a replacement cost analysis has not been derived...the overall cost to replace the parts and components of the INET systems would be substantial, which would be a major financial impact to MDAD." MDAD indicated, however, that Cavotec had not requested any price adjustments since the contract began on Jan. 1, 2017, and MDAD benefitted from the cost avoidances realized because of the allowable price adjustments not being exercised and of Cavotec honoring its awarded prices year after year.

The market research conducted by ISD explains that MDAD would consider approved equals for the plant type 400Hz/PCA units when competing the purchase of new or replacement passenger boarding bridges after [Contract No. 9427-1/21-1](#) expires on December 30, 2021. However, approved equals must work with the existing 400Hz and PCA glycol plant systems and would thereafter become proprietary for continued maintenance and parts. When competing



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**Research: VW / Reviewer: PGE**

the purchase of new or replacement passenger boarding bridges under Contract No. 9427-1/21-1, MDAD does request and will accept approved equals for the plant type 400Hz/PCA units.

Lastly, the market research conducted concluded that “it would not be feasible to access or perform a comparable price analysis of an existing contract from another municipality to the agency-specific needs and requirements of MDAD due to differences in the scope of services, quantities, pricing methodology, and variances in proprietary parts and components.” The service life of the various equipment supplied by the contract is broken down as followed: Preconditioned Air (PCA) Units – 10-15 years, 400 HZ Ground Power Motor Generators – 20 years, Service Transport Units (STU) – 15-20 years, and Chiller Plant Equipment Controllers (PEC) – 10-15 years.

On June 30, 2009, INET Airport Systems Inc. was awarded a parallel contract, in the amount of \$6,942,753 for *Project No. B763C, MIA PCA and 400 Hz Completion* through [Resolution No. R-806-09](#). INET was awarded the contract to complete work on the PCA and 400Hz Central Plants which it had previously undertaken as a subcontractor under Project No. *MIA-763AB, Pre-Conditioned Air Systems and 400Hz Ground Power Systems*, awarded to John J. Kirlin, Inc. (JJK) in June of 2002. JJK was unable to complete the contract work in accordance with the original contract schedule. After negotiations between MDAD and JJK for a contract extension to complete the remaining North Terminal PCA and 400Hz work failed, a change order was approved by the County descopeing the remaining work. According to MDAD, INET was recommended for award of *Project No. B763C, MIA PCA and 400 Hz Completion* to ensure compatibility with the previous INET PCA and 400Hz equipment provided under, Project No. *MIA-763AB, Pre-Conditioned Air Systems and 400Hz Ground Power Systems*.

**BCC Meeting:  
September 1, 2021  
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**Item No. 15C1  
File No. 212002**

**Research: CB / Reviewer: PGE**

RE-APPOINTMENTS OF ELSIE HAMLER AND JESSIE HOUSTON II TO SERVE AS MEMBERS OF THE SMALL BUSINESS ENTERPRISE CONSTRUCTION (SBE-C) ADVISORY BOARD

**Prime Sponsor:** None

**Requester:** Clerk of the Board

**BCC/Committee Action Date:** None

**RESEARCH FINDINGS**

OCA completed the required background research regarding the reappointment of Elsie Hamler and Jessie Houston II to the Small Business Enterprise Construction (SBE-C) Advisory Board. The research yielded no adverse informational findings for these appointees. This report is being provided as a Supplement to BCC Agenda File Item Number 212002.

**FINANCIAL ANALYSIS**

N/A

**ADDITIONAL INFORMATION**

Bulleted below is the relevant legislation relating to the background research process:

- [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 or appointments by the BCC.



### **CONTRIBUTORS**

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Victor van der Weerden, MSc., 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).