



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

**COMMISSION AUDITOR'S
INFORMATIONAL RESEARCH**

BOARD OF COUNTY COMMISSIONERS MEETING

November 16, 2021

9:30 A.M.

Commission Chambers

Yinka Majekodunmi, CPA
Commission Auditor

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

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**BCC Meeting:
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Research Notes**

**Item No. 5C
File No. 212726**

Research: CB / Reviewer: PGE

RESOLUTION CODESIGNATING THAT PORTION OF SW 132 AVENUE BETWEEN SW 42 STREET (BIRD ROAD) AND SW 56 STREET AS "JOSE MANUEL DORADO WAY"

Prime Sponsor: Senator Javier D. Souto, District 10

Requester: None

Committee Action Date: None

RESEARCH FINDINGS

OCA completed the required background research on "Jose Manuel Dorado" 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 "Jose Manuel Dorado." Pursuant to Ordinance No. 19-11, OCA verified that "Jose Manuel Dorado" is deceased. In accordance with the cited ordinances, OCA is providing this report as a Supplement to BCC Agenda File Item No. 212726.

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:
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Research Notes**

**Item No. 8F1
File No. 212270**

Research: MF & CS / Reviewer: PGE

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY UP TO \$3,300,000.00 FOR A TOTAL MODIFIED PREQUALIFICATION POOL AMOUNT OF \$69,834,000.00 FOR PREQUALIFICATION POOL NO. 8446-5/17-1 FOR PURCHASE OF CONSTRUCTION EQUIPMENT RENTAL FOR THE TRANSPORTATION AND PUBLIC WORKS AND PORTMIAMI DEPARTMENTS; AND AUTHORIZES THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO AWARD CONTRACTS UNDER THE POOL AND TO EXERCISE ANY RENEWALS, EXTENSIONS OR CANCELLATION, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

Prime Sponsor: None

Requester: Internal Services Department

Committee Action: 10/12/21 – PortMiami and Environmental Resilience

RESEARCH FINDINGS

OCA's review of the item yielded the findings enumerated below.

1. Prequalification pool vendor Rent Ready Equipment LLC is listed as "Inactive" in the State of Florida's Division of Corporations website (Sunbiz). On October 6, 2021, the company filed a *Certificate of Withdrawal of Authority to Transact Business in Florida*.¹ OCA contacted state officials at Sunbiz on November 5, 2021 pertaining to the details of said withdrawal; Sunbiz staff stated that Rent Ready Equipment LLC is no longer a registered agent with the State of Florida.
2. Prequalification pool vendor Rockland Contracting Inc. does not possess an active registration with the State of Florida's Division of Corporations.² According to Sunbiz, the company did not file a 2021 annual report and as a result the company's status is on "administrative dissolution" as of September 24, 2021. OCA contacted Sunbiz on November 5, 2021 and Sunbiz staff communicated that corporations must file an annual report at a cost of \$150 any time between January 1st and May 1st of each year. The subject company – which originally registered with the State of Florida on July 22, 2005 – did not file the required annual report.

FINANCIAL ANALYSIS

Table 1 below depicts the pool's value of \$15,500,000 under the original term of five years, the current value of \$51,033,692 under the option to renew (OTR) term of 10 years, and the additional expenditure amount requested of \$3,300,000 under this item. Table 2 shows the breakdown of allocation amounts, releases and balances of user departments under the current option term per the County's Bid Tracking System as of November 8, 2021. Note that

¹Sunbiz, Florida's Division of Corporations, Rent Ready Equipment, LLC, <https://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2021%5C1008%5C74553144.tif&documentNumber=M17000007636>

²Sunbiz, Florida's Division of Corporations, Rockland Contracting, Inc., <https://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=ROCKLANDCONTRACTING%20P050001028691&aggregateId=domp-p05000102869-7fb8da86-dbb0-498a-bcbd-a734e30d134c&searchTerm=rockland%20contracting%20&listNameOrder=ROCKLANDCONTRACTING%20P050001028691>

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Research: MF & CS / Reviewer: PGE

this additional expenditure request is only for the Department of Transportation and Public Works (\$3,000,000) and PortMiami (\$300,000). The Department of Transportation and Public Works has depleted 97% of its current allocation under the option term; the department has an allocation of \$12,460,135, of which \$12,122,035 has been released, leaving a balance of \$338,100. PortMiami has depleted 86% of its current allocation under the option term; the department has an allocation of \$1,955,000, of which \$1,685,186 has been released, leaving a balance of \$269,814.

Table 1

Prequalification Pool No. 8446-5/17					
Initial Term	Original Allocation	Modification Value	Modification Date	Modification Approval	Modified Allocation
04/01/08 to 03/31/13	\$14,537,328	\$250,000	09/09/10	ISD Director	\$14,787,328
		\$712,672	07/07/11	BCC	\$712,672
SUBTOTAL:	\$14,537,328	\$962,672			\$15,500,000
Prequalification Pool No. 8446-5/17-1					
Option Term	Original Allocation	Modification Value	Modification Date	Modification Approval	Modified Allocation
04/01/13 to 03/31/23	\$15,500,000	\$2,010,000	11/20/14	County Mayor	\$17,510,000
		\$4,468,000	06/07/16	BCC	\$4,468,000
		\$250,000	10/19/16	ISD Director	\$250,000
		\$1,240,000	03/23/17	County Mayor	\$1,240,000
		\$21,351,000	03/06/18	BCC	\$21,351,000
		\$2,027,444	10/23/20	County Mayor	\$2,027,444
		\$4,187,248	08/18/21	County Mayor	\$4,187,248
SUBTOTAL:	\$15,500,000	\$35,533,692			\$51,033,692
GRAND TOTAL:	\$30,037,328	\$36,496,364			\$66,533,692

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Research: MF & CS / Reviewer: PGE

Table 2

Prequalification Pool No. 8446-5/17-1			
Department	Allocation	Released Amount	Balance
Animal Services	\$90,000	\$7,255	\$82,745
Aviation	\$2,757,670	\$1,994,018	\$763,652
Corrections	\$257,499	\$203,150	\$54,349
Cultural Affairs	\$51,999	\$44,356	\$7,643
Information Technology	\$90,000	\$8,881	\$81,119
Fire	\$590,000	\$244,597	\$345,403
Public Housing	\$400,000	\$377,653	\$22,347
Internal Services	\$1,103,364	\$871,937	\$231,427
Library	\$165,000	\$94,216	\$70,784
Transportation & Public Works	\$12,460,135	\$12,122,035	\$338,100
Police	\$175,000	\$128,166	\$46,834
Permitting & DERM	\$4,239,484	\$1,042,822	\$3,196,662
Parks and Recreation	\$5,969,007	\$4,898,036	\$1,070,971
Public Works Waste Management	\$129,261	\$129,261	\$0
Seaport	\$1,955,000	\$1,685,186	\$269,814
Solid Waste	\$1,661,412	\$811,231	\$850,181
Vizcaya	\$11,837	\$11,837	\$0
Water & Sewer	\$14,739,772	\$13,895,120	\$844,652
TOTAL:	\$46,846,440	\$38,569,757	\$8,276,683

ADDITIONAL INFORMATION

The mayoral memo references Groups A and B under this pool; however, Attachment 1, which shows the prequalified vendors, does not indicate which group the vendor has been qualified for.

OCA conducted due diligence on all 25 prequalified pool vendors under this item; bulleted below are the findings.

- No Local Business Tax Receipt for Rent Ready Equipment LLC was found via a Business Tax Search on the County's website.
- *Ostermann v. Dobbs Equipment, LLC* (Case No. 8:21-CV-00031) was filed January 7, 2021 in the U.S. District Court, Middle District of Florida (Tampa). The complaint states the defendant wrongfully terminated plaintiff's employment in violation of the Families First Coronavirus Response Act. The latest docket information shows the parties reached a settlement agreement on June 9, 2021, of which details were not available.
- Pursuant to Resolution R-828-19, which requires vendors to disclose discrimination lawsuits, OCA found that Sunbelt Rentals, Inc., Trane U.S. Inc., and United Rentals Inc. are defendants in separate employment discrimination lawsuits.
 - *Louis Dieudonne v. Sunbelt Rentals, Inc.* (Case No. 2021-024198-CA-01) was filed October 31, 2021 in the 11th Judicial Circuit, Miami-Dade County. According to the complaint, the plaintiff (a Haitian

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Research: MF & CS / Reviewer: PGE

American male) was subjected to unlawful employment discrimination, harassment, and retaliatory employment actions by the defendant's employees, officers, directors, agents, et al. As per the latest docket activity on November 2, 2021, the case was in the discovery phase.

- *Wilder v. Trane Technologies Company, LLC et al*, (now Case No. 4:21-CV-01226) was filed September 8, 2021 in the St. Louis Circuit Court and later transferred on October 13, 2021 to the U.S. District Court, Eastern District of Missouri (St. Louis). According to the complaint, the plaintiff was subjected to harassment through a hostile and abusive work environment culminating in termination of his employment. The latest docket activity on the case shows the transfer to the U.S. District Court.
- *Jones v. United Rentals Inc. et al*, (now Case No. 3:21-CV-00509) was initially filed July 30, 2021 in the 19th Judicial District Court, Parish of East Baton Rouge, Louisiana, and later transferred on September 1, 2021 to the U.S. District Court, Middle District of Louisiana (Baton Rouge). The complaint alleges the plaintiff suffered physical pain, mental anguish, and emotional distress because of wrongful termination of employment, in addition to discrimination and retaliation by the defendant. As per the latest docket activity on October 1, 2021, the case was in the procedural stage.

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**Item No. 8F2
File No. 212285**

Research: VW & PC / Reviewer: PGE

RESOLUTION AUTHORIZING AWARD OF A LEGACY CONTRACT FOR ADVANCED TRAFFIC MANAGEMENT SYSTEM MAINTENANCE AGREEMENT FOR THE TRANSPORTATION AND PUBLIC WORKS DEPARTMENT, CONTRACT NO. L-10134, TO KIMLEY-HORN AND ASSOCIATES, INC., FOR A FIVE-YEAR TERM IN A TOTAL AMOUNT NOT TO EXCEED \$4,950,000.00 AND APPROVING TERMS OF AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE CONTRACT AND TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION OR EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS IN THE AMOUNT OF \$1,600,000.00 FOR THESE PROJECTS WHICH ARE CONTAINED IN THE ORIGINAL EXHIBIT 1 OF THE PEOPLE'S TRANSPORTATION PLAN SECTION RAPID TRANSIT IMPROVEMENTS(Internal Services)

Prime Sponsor: None

Requester: Internal Services Department (ISD)

Committee Action: 10/12/21 – Transportation, Mobility, and Planning

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 payments to Kimley-Horn during the last few years are as follows:

KIMLEY-HORN & ASSOCIATES INC	
Fiscal Year	Sum of Payment Activity
2015-16	882,722
2016-17	595,633
2017-18	1,893,619
2018-19	3,293,233
2019-20	3,039,065
2020-21	4,406,224
2021-22 (Oct to Date)	167,593
Total	\$14,278,089

Source: Cognos & INFORMS as of November 12, 2021.

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File No. 212285**

Research: VW & PC / Reviewer: PGE

ADDITIONAL INFORMATION

The existing Advanced Traffic Management System (ATMS) developed by Kimley-Horn monitors and operates over 2,600 signalized intersections throughout Miami-Dade County. Contract No. RFP-01058, *Advance Traffic Management System*, was approved by the Board of County Commissioners on May 4, 2020 and awarded to Siemens Mobility, Inc. (Siemens) for the purpose of installing all new controllers and software, providing the ability to fully actuate all signalized intersections in order to manage traffic flow in real time. As such, the Kimley Horn system will be replaced by new traffic controllers and software but will remain in operation until the completion of work under RFP-01058 in May 2024.

Based on the Market Research conducted by the Internal Services Department, a legacy contract is being awarded to Kimley-Horn because the existing ATMS is a proprietary software of Kimley-Horn. There are no other companies that have the rights to the Kimley-Horn software and the unique features implemented for Miami-Dade County.

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Research Notes**

**Item No. 8F3
File No. 212590**

Research: PGE & CS / Reviewer: YM

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL NO. RTQ-01397 FOR THE PURCHASE OF PLUMBING EQUIPMENT AND SUPPLIES FOR MULTIPLE COUNTY DEPARTMENTS FOR A FIVE-YEAR TERM IN A TOTAL AMOUNT UP TO \$31,385,216.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

Prime Sponsor: None

Requester: Internal Services Department



Committee Action: 11/08/21 – County Infrastructure, Operations and Innovations; the meeting on 11/08/21 was cancelled, and this item was waived to the next BCC meeting.

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 current pool, #6582-5/16, is valued at \$83,645,408 for a term of 15 years and three months. The replacement pool is valued at \$31,385,216 for a five-year term. The table below compares the annual and monthly allocation between the current and replacement pools.

Prequalification Pool			
Current Allocation	Total \$83,645,408	Yearly (15.25) \$5,484,945	Monthly (183) \$457,079
Replacement Allocation	Total \$31,385,216	Yearly (5) \$6,277,043	Monthly (60) \$523,087
Fiscal Impact		Per Year	Per Month
Change \$		 \$792,098	 \$66,008
Change %		14.4%	14.4%

ADDITIONAL INFORMATION

The pool is in its option term, which commenced on December 1, 2015 and originally expired on November 30, 2016. However, a BCC-approved extension was authorized on September 7, 2016, extending the term by five years through November 30, 2021. On October 21, 2021, the ISD Director approved a three-month administrative extension of the term through February 28, 2022. The cumulative value of the option term is \$39,124,600 (i.e., original award of \$7,393,000, an extension totaling \$30,513,000 plus a modification approved by the County Mayor for \$1,218,600).

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Research Notes**

**Item No. 8F4
File No. 212594**

Research: VW, JL & CS / Reviewer: PGE

RESOLUTION APPROVING AWARD OF CONTRACT NO. RFP-01375 TO COLLECTION SOLUTIONS SOFTWARE, INC. FOR THE PURCHASE OF CREDIT AND COLLECTION MANAGEMENT SOFTWARE SOLUTION FOR THE FINANCE DEPARTMENT IN A TOTAL AMOUNT NOT TO EXCEED \$4,185,058.00 OVER THE INITIAL FIVE-YEAR TERM AND ONE, FIVE-YEAR OPTION TO RENEW TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWAL AND 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

Committee Action: 11/8/21 – County Infrastructure, Operations and Innovations; the meeting on 11/08/21 was cancelled, and this item was waived to the next BCC meeting.

RESEARCH FINDINGS

OCA's review of the item yielded the findings enumerated below. Refer to Additional Information section for more.

1. The mayoral memo states that the fiscal impact for the contract is \$1,862,133 for the first five-year term and \$2,322,925 for the five-year option to renew (OTR). However, the amount allocated for the contract in the FY 2021-22 Proposed Budget is \$800,000.
2. The annual allocation for maintenance and support services under the replacement contract is estimated at \$212,426.6 or roughly 642% higher than the \$28,637 annual allocation for maintenance and support services for the current contract. The mayoral memo is silent as to why the amount allocated for maintenance and support services is significantly higher in the replacement contract compared to the current contract.

FINANCIAL ANALYSIS

According to the agenda item, the fiscal impact for the five-year term is \$1,862,133. The amount allocated in the FY 2021-22 Proposed Budget is \$800,000 for acquisition and implementation of the software of which \$400,000 has already been expended. The agenda item states that the replacement contract is for the purchase of a new Solution, which includes software licensing, implementation, integration, configuration, data conversion, training, maintenance, and support services. As \$800,000 has been budgeted for software acquisition and implementation, the remaining \$1,062,133 of the requested allocation is slated for maintenance and support services. The annual allocation for maintenance and support services under the replacement contract would then be \$212,426.6, or roughly 642% higher, than the annual allocation for the current contract, \$28,637, all of which is being used for maintenance and support services. The mayoral memo is silent as to why the amount allocated for maintenance and support services is significantly higher in the replacement contract compared to the current contract.

ADDITIONAL INFORMATION

Market Research conducted by the Internal Services Department revealed that there are several credit and collections software systems available in the marketplace, including Simplicity, Chetu, Rocket Receivables, Experian, and CreditForce. On February 11, 2020, three proposal responses were received for RFP-01375, Credit and Collection Management Software Solution: Omni Systems, Inc., Ontario Systems, LLC, and Collection Solutions Software, Inc. Note that the vendor under the current contract, Accelerated Data Systems, Inc., did not submit a response to the RFP.

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Research: VW, JL & CS / Reviewer: PGE

The proposal received from Ontario Systems, LLC, did not provide pricing and stated “the pricing for our products and services are very competitive in the industry and the markets we serve. Ontario Systems will be happy to participate in pricing discussions in order to arrive at the best pricing needs for Miami Dade County’s unique blend of licensed products and services along with your planned consumption model of the products themselves.” The CAO deemed the proposal non-responsive for the following reason: the proposer did not include the total proposed price for the Credit and Collection Management Software Solution for the initial five-year term or any itemized pricing in the breakdown of the proposed price.

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Research Notes**

**Item No. 15C1
File No. 212627**

Research: CB / Reviewer: PGE

NOMINATION FOR APPOINTMENT TO THE CLEAN TECHNOLOGY TASK FORCE

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

RESEARCH FINDINGS

OCA completed the required background research regarding the nomination of Shawn Wilborne and Christopher Ferreira to the Clean Technology Task Force. The research yielded no adverse informational findings for the nominees. This report is being provided as a Supplement to BCC Agenda File Item Number 212627.

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 conduct background research on applicants being considered to serve on County Boards and Trusts that require nominations or appointments by the BCC.

CONTRIBUTORS

Cedric J. Brazle, Jr., Executive Secretary
Pierre Chammas, MBA, Interim Finance Manager
Phillip G. Edwards, Esq., Research Manager
Johnson Louis, MSF, Financial Analyst I
Mireidy Fernandez, Ph.D., Research Analyst
Casey Simpkins, CPA, Financial Analyst II
Victor van der Weerden, MSc., Research Analyst

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

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

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