



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

**COMMISSION AUDITOR'S
INFORMATIONAL RESEARCH**

BOARD OF COUNTY COMMISSIONERS MEETING

December 1, 2021

9:30 A.M.

Commission Chambers

Yinka Majekodunmi, CPA
Commission Auditor

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

**Item No. 5F
File No. 212264**

Research: CB / Reviewer: PGE

ORDINANCE CREATING THE JUNIPER COVE COMMUNITY DEVELOPMENT DISTRICT

Prime Sponsor: None

Requester: Parks, Recreation and Open Spaces

RESEARCH FINDINGS

OCA completed the required background research regarding the initial members of the Board of Supervisors of the Juniper Cove Community Development District – Stephen Christian Cotter, Frank Covelli, Javier Tavel, K. Karl Albertson, Jr., and Mary Moulton. The research yielded no adverse informational findings for the members. This report is being provided as a Supplement to BCC Agenda File Item Number 212264.

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.

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

**Item No. 8F3
File No. 212312**

Research: VW / Reviewer: PGE

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01549 GROUP 1 TO ABLE BUSINESS SERVICES, INC., AND CONTRACT NO. FB-01549 GROUP 2 TO NATIONAL CLEANING CONTRACTORS USA, INC. FOR THE PURCHASE OF BUS CLEANING AND DISINFECTING SERVICES FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS WITH AN AMOUNT NOT TO EXCEED \$24,087,000.00 FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD TO ABLE BUSINESS SERVICES, INC. FOR GROUP 1 AND NATIONAL CLEANING CONTRACTORS USA, INC. FOR GROUP 2, 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: N/A

Requester: Internal Services Department (ISD)

Committee Action: 11/10/21 – Health, Emergency Management and Intergovernmental Affairs; forwarded to the BCC by the BCC Chairman due to meeting cancellation.

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

Market Research from the user department, the Department of Transportation and Public Works (DTPW), specifies the following line-item breakdown of *Contract No. FB-01549*:

Line-Item Description	Contract Amount
Nightly Detailed Cleaning	8,970,000
Nightly Disinfecting	8,828,820
Optional Services (Special Requests/Field Locations)	6,726,720
Total =	24,525,540

ADDITIONAL INFORMATION

OCA conducted due diligence on the two awarded vendors under this item; bulleted below are the findings.

- The solicitation was advertised on March 5, 2021. Bids were received on June 7, 2021. The item is slated for BCC approval on December 1, 2021.
- Based on a search conducted on the Business Management Workforce System (BMWS) on November 24, 2021, Able Business Services Inc. has been awarded 10 County contracts as the prime contractor with a cumulative paid amount of \$28,198,810 and National Cleaning Contractors U.S.A, Inc. has been awarded five County contracts as the prime contractor with a cumulative paid amount of \$11,584,380.
- DTPW is requesting to establish a new five-year stand-alone contract to replace *WOPR 9562-51DTPW* for Bus Cleaning. *WOPR 9562-51DTPW* was issued under *ITQ 9562-5-22*, the janitorial services pool, and valued at \$2,000,000 for one year.

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Research Notes**

**Item No. 8F3
File No. 212312**

Research: VW / Reviewer: PGE

On November 23, 2021, OCA sent the following inquiry to ISD. No response was received by the research note's publication deadline.

1. Explain why the requested contract has been structured as a five-year contract instead of a shorter-term contract with options-to-renew (OTR) given the future uncertainty regarding the continued development of the Covid-19 pandemic.
2. Provide the breakdown of the operating funds cited by source (e.g., GF, Proprietary, Federal or PTP) and the corresponding amount.
3. Detail the experience of the recommended awardees in delivering the solicited services for a comparably-sized bus fleet.

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Research Notes**

**Item No. 8F5
File No. 212592**

Research: MF & ES / Reviewers: PGE & PC

RESOLUTION AUTHORIZING AWARD OF A LEGACY CONTRACT FOR PROPWORKS SYSTEM SOFTWARE FOR THE MIAMI-DADE AVIATION DEPARTMENT, CONTRACT NO. L-10159, TO AMADEUS AIRPORT IT AMERICAS, INC. FOR A FIVE-YEAR TERM IN A TOTAL AMOUNT NOT TO EXCEED \$650,067.00 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

Prime Sponsor: None

Requester: Internal Services Department (ISD)

Committee Action: 11/9/21 – Airports and Economic Development

RESEARCH FINDINGS

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

1. The Bid Tracking System (BTS), as of November 29, 2021, shows that the Blanket Purchase Order (BPO) for the current contract (*Contract No. L-8764*) has been depleted; the system shows a Purchase Order being posted on June 14, 2020 for \$205,473.05, the entire amount allocated to the BPO.
2. The mayoral memorandum states that it would be cost-prohibitive (i.e., at least \$5 million) for MDAD to transition to a new vendor as the existing software supporting various MIA subsystems is proprietary. However, as documented in the Market Research for this item, while the software and functionality of PROPworks are proprietary and limited to use within the license, the data processed can be migrated if necessary, lowering the switching cost should a new system be required. Given that MDAD does not intend to compete the required services in the foreseeable future, it is unclear why the current term was approved for only two years.

FINANCIAL ANALYSIS

Table 1 below depicts fiscal data relating to current *Contract No. L-8764* which was awarded to Amadeus Airport IT Americas, Inc. under the mayor's delegated authority. The contract term commenced on November 15, 2019 and originally expired on November 14, 2021. However, BTS shows a three-month administrative extension through February 14, 2022.

Table 1

Current Contract No. L-8764		
Original Allocation Amount	Modifications	Total
\$205,473	\$44,527	\$250,000

Prior to the current contract, Amadeus contracted with the County through *Contract No. SS8764-0/18* for a term of 10 years and three months, from April 3, 2009 to July 2, 2019, and a value of \$1,404,666.

Table 2 below summarizes the software description, maintenance term and fees under this requested legacy contract (*No. L-10159*) as well as the labor rates for customer training and upgrade assistance.

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**Item No. 8F5
File No. 212592**

Research: MF & ES / Reviewers: PGE & PC

Table 2

Recommended Contract No. L-10159		
Terms and Fees		
Software Description	Maintenance Term	Fees
Annual PROPworks application license fee, maintenance and support	2021	\$62,855
	2022	\$110,604
	2023	\$113,922
	2024	\$117,340
	2025	\$120,860
	2026	\$124,486
TOTAL CONTRACT VALUE: \$650,067		
Labor Rates		
Labor Rates	Hourly Rates	Daily Rates
PROPworks Project/Program/Solution Manager/Consulting/Manager	\$185	\$1,480
PROPworks Project/Program Manager/Director of Consulting	\$210	\$1,680

A review of the County's Business Management Workforce System (BMWS) (as of November 22, 2021) showed incumbent vendor Amadeus Airport IT Americas Inc. has held two contracts as a prime contractor. Table 3 below offers a synopsis of said contracts.

Table 3

Contracts	Dates	Award Amount	Paid Amount
AOIS at MIA	9/1/2020 – 8/31/2027	\$18,445,883	\$2,127,497
PROPWorks System Software	11/15/2019 – 11/14/2021	\$231,157	\$205,473
TOTAL:		\$18,677,040	\$2,332,970

ADDITIONAL INFORMATION

OCA found a 2021 lawsuit involving incumbent vendor Amadeus, which is listed as a co-defendant in the complaint. Below is a summary.

- *American Airlines, Inc. v. Sabre Holdings Corporation, Et Al.* (Case No. 236-326225-21), filed June 29, 2021 in the 236th District Court, Tarrant County, Texas. The complaint alleges the defendants practiced systemic bias in favor of Delta Airlines and its products by misleading travel agents to believe American Airlines' products are not competitive or that American does not have product offerings when in fact it does, thereby causing damages to the plaintiff. As per the last docket activity on October 27, 2021, the case is in the procedural phase and remains pending.

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File No. 212592**

Research: MF & ES / Reviewers: PGE & PC

Pertaining to the incumbent vendor's financial stability, a recent report from Globe Newswire, which focuses on the airport information systems market, cites maintenance and operation as key market drivers in the aviation industry; the United States and Canada are listed in the top two positions among 19 leading markets in Europe, Asia, and India. The report – which offers a financial outlook for the next decade (2021-2031) – lists Amadeus IT Group (the incumbent vendor's parent company) as one of the top 15 companies operating in airport information systems.¹ The company is headquartered in Madrid, with offices worldwide.²

OCA contacted MDAD on November 22, 2021 pertaining to the inquiries below; the Department replied on November 29, 2021 and the responses are summarized below.

Depleted Allocation Status

Pertaining to the status of the current contract allocation, which was depleted in June 2020, MDAD states that ISD negotiated with the vendor a partial payment of the 2021 fees until additional contract funding would be approved by the BCC. As such, funding for the partial payment was just added to MDAD's allocation on November 23, 2021. According to MDAD, the vendor has continued to service the system without delays.

Interplay with Previously Approved Contracts

As it relates to the previously approved contracts via Resolution Nos. [R-149-13](#) and [R-631-20](#), and the requested legacy contract for vendor Amadeus Airport IT Americas Inc., MDAD indicated there is no interplay between the AOIS and the PROPworks contracts. The Department's goal was to synchronize the two contracts as both their underlying systems are independent. PROPworks is an interstage system juxtaposed between the AOIS (Aeronautical Operations) and PeopleSoft Financials (MDAD's version of INFORMS). Its purpose is to take Aviation Operational Data and feed it to the financial system, primarily accounts receivables, to assist with financial management.

PROPworks Useful Life

With regard to the program's hardware and useful life, MDAD states that PROPworks is redundantly integrated into MDAD's Virtual Architecture, Infrastructure, and Point of Sale systems, and PROPworks receives software and system updates on a quarterly schedule and major upgrades on the normal software development cycle (every 2-3 years).

Long-Term Plan for Retiring the System

MDAD indicated there are no long-term plans to replace PROPworks, as the County has a mature PeopleSoft ERP system (implemented in 2006, which is the same as what the County implemented earlier this year -- INFORMS system). INFORMS is a Financial System while PROPworks is a system used to manage properties, lease agreements and aviation-related statistics (implemented in 2003). The two systems are complementary, not duplicative, with minimal overlap in functionality. To replace PROPworks, the County would need to purchase another system because PeopleSoft ERP does not have the functionality that PROPworks provides.

¹*Airport Information Systems Market Report 2021-2031*, GLOBE NEWSWIRE, Yahoo! Finance, November 3, 2021, [Globe Newswire Report](#).

²Amadeus Corporate, <https://corporate.amadeus.com/en/newsroom/amadeus-announces-further-expansion-of-its-airport-it-business-to-north-america-with-the-acquisition-of-air-transport-it-services-inc-airit->

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**Item No. 8F5
File No. 212592**

Research: MF & ES / Reviewers: PGE & PC

Basis for Annual Fee

OCA requested information pertaining to the basis for the annual fee, including corresponding details/breakdowns, listing all respective assumptions. MDAD provided the table below.

Category	Labor Hours Spent	Cost per Item	Total Cost	Notes
Annual Maintenance	N/A	N/A	\$110,603.91	Flat fee annual maintenance cost increases approximately 3% year over year from original contract
Propworks Project Manager	0	\$185	\$0	Itemized hours were not needed or utilized during previous contract term
Propworks Program Manager	0	\$210	\$0	Itemized hours were not needed or utilized during previous contract term
Business Intelligence	0	\$0	0\$	Third Party BI added during FY 2017 was billed separately at implementation however has since become incorporated into the Annual Maintenance fee.
FY 2022 Total			\$110,603.91	

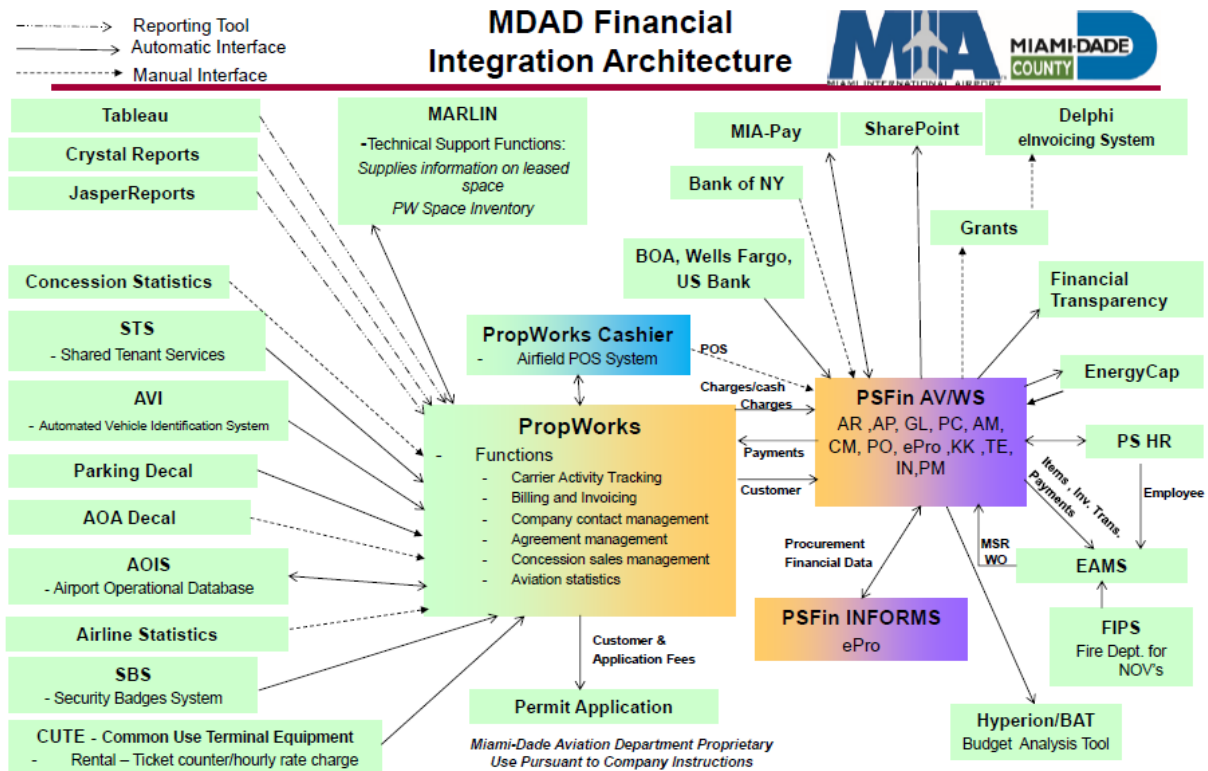
Flowchart Documenting the Services by PROPworks

Illustration 1 below depicts a flowchart of the PROPworks system as it relates to the MIA subsystems specified in the mayoral memo.

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Research Notes**

**Item No. 8F5
File No. 212592**

Research: MF & ES / Reviewers: PGE & PC



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

Item No. 8F7
File No. 212597

Research: MF & VW / Reviewer: PGE & PC

RESOLUTION APPROVING AWARD OF CONTRACT NO. RFP-01032 TO CAÑAS TENNIS ACADEMY, LLC FOR THE PROVISION OF TENNIS CENTER MANAGEMENT, OPERATIONS AND MAINTENANCE AT TAMiami, TROPICAL AND IVES ESTATES PARKS FOR A 10-YEAR TERM FOR THE MIAMI-DADE PARKS, RECREATION AND OPEN SPACES DEPARTMENT, WITH PROJECTED REVENUE IN THE AMOUNT OF \$1,508,040.00 TO THE COUNTY; 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 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)

Previous Action: 11/8/21 – Recreation and Culture Committee; forwarded to the BCC by the BCC Chairman due to lack of a quorum.

Note: This item (previous Legistar No. [210096](#)) initially traveled to the BCC on March 2, 2021 and was deferred due to several inquiries raised by the Board. At the time, the crux of the Board's concerns centered upon the following: 1) parents were paying higher fees for their children's tennis lessons (\$125 for three hours instead of the previous \$65) and the feasibility for Parks, Recreation and Open Spaces (PROS) to subsidize any of the cost; 2) whether children within the community have access to the tennis programs; 3) the reasons why the subject parks' curriculum was not available to the entire County parks system; and 4) whether residents have limited access to the tennis courts because private entities also utilize the courts.

RESEARCH FINDINGS

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

1. The current services are being delivered via expired permit agreements based on month-to-month extensions. This solicitation was advertised on January 3, 2019. Proposals were due on February 20, 2019. The item is slated for Board approval on December 1, 2021, more than two and a half years from the proposal submission date.

FINANCIAL ANALYSIS

Table 1 below shows a breakdown of the current entities providing the requested services by tennis center. Under the permit agreements, approximately \$274,050 in cumulative revenue has been generated according to information received from PROS in February 2021. A request to ISD for updated information was not received prior to publication of this research note. However, based on the monthly rates set forth below OCA calculated total revenue of \$326,700 through November 30, 2021.

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Research Notes**

**Item No. 8F7
File No. 212597**

Research: MF & VW / Reviewer: PGE & PC

Table 1

Tennis Center Name	Entity Providing Service	Entity Type	Contract Expiration Status	Revenue Received
Ives Estate Tennis Center	Gustavo Roque	For-profit	Contract expired in 2017, currently operating on a month-to-month basis.	\$750.00 per month plus 5% of monthly receipts
Tropical Park Tennis Center	Barbosa Tennis, Inc.	For-profit	Contract expired in 2018, currently operating on a month-to-month basis.	\$2,750 per month and 5% of monthly receipts on first \$5,000 and 10% on monthly receipts greater than \$5,000.01
Tamiami Park Tennis Center	Friends of Miami, Inc.	Non-profit	Contract expired in 2018, currently operating on a month-to-month basis.	\$550.00 per month

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Research Notes**

**Item No. 8F8 & 8F9
File No. 212288 & 212289**

Research: JNF / Reviewer: PGE

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-02008 TO PAWN SEAFOODS, INC. DBA SUNSET FOODS FOR THE PURCHASE OF FROZEN KOSHER MEALS FOR THE MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT WITH AN AMOUNT NOT TO EXCEED \$5,639,550.00, FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD TO PAWN SEAFOODS, INC. DBA SUNSET FOODS, 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 [ITEM NO. 8F8]

RESOLUTION APPROVING REJECTION OF ALL BIDS RECEIVED IN RESPONSE TO INVITATION TO BID NO. FB-01708 FOR THE PURCHASE OF FROZEN KOSHER MEALS FOR THE MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT [ITEM NO. 8F9]

Prime Sponsor: None

Requester: Internal Services Department (ISD)

Committee Action Date: 11/10/21 - Community Safety and Security Committee (CSSC)

RESEARCH FINDINGS

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

- 1) The award of Contract No. FB-02008 (Item No. 8F8 – File No. 212288), the solicitation of which was issued in light of the rejection of all bids received in response to Invitation to Bid No. FB-01708 (Item No. 8F9 – 212289), has a fiscal impact of \$5,639,550 for a five-year term, representing a monthly value 283% higher than that of the previous contract.
- 2) This item does not comply with Resolution No. [R-515-19](#), which requires that approval for award of successor contracts or extensions occur 60 days prior to contract expiration. This item is before the BCC on December 1, 2021—a day after the expiration of the current contract.
- 3) 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 purchase of goods and services, inclusive of option to renew periods. Given the current contract's original expiration date of May 31, 2021, the Administration should have commenced planning for repurchase of this contract on November 30, 2019. The requisition for the first solicitation, FB-01708, was posted on October 21, 2020, and the solicitation was advertised on April 14, 2021.

FINANCIAL ANALYSIS

The current contract, 8880-1/21, is valued at \$3,090,836.83 for a 10-year and six-month term and expires on November 30, 2021.

ADDITIONAL INFORMATION

During the first solicitation for the replacement contract, FB-01708, Miami-Dade Corrections and Rehabilitation Department (MDCR) personnel conducted an evaluation of the meals and concluded that Gourmet Kosher was not an acceptable brand, a decision that would ultimately result in a bid protest by Gourmet Kosher, LLC after being excluded from consideration of the second solicitation, FB-02008, in which it directly participated. Disqualification of the Gourmet Kosher brand not only affected the direct participation of Gourmet Kosher, LLC's in the second solicitation, but also led to the rejection of bids received by AMS

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

Item No. 8F8 & 8F9

Research: JNF / Reviewer: PGE

File No. 212288 & 212289

Consultant, Inc. dba BP Food Services, National Food Group, Inc., and one of the two incumbent vendors, JNS Foods, LLC, in response to the first solicitation, as all three vendors distribute Gourmet Kosher brand meals.

The bid protest documents detail Gourmet Kosher, LLC's claim that the County's decision to exclude the brand from consideration after responding to solicitation FB-02008 was arbitrary and capricious, as the decision was allegedly based on the evaluation of lower quality meals that the brand offers via other distributors. Despite acknowledgment of the varying quality of the meals offered by the different distributors of Gourmet Kosher brand meals, the Hearing Examiner ultimately concluded that the burden in finding that the County has acted in an arbitrary and capricious manner had not been met, thus recommending denial of the bid protest.

Vendor participation in each of the two solicitations, and the result of that participation, is documented below.

Vendor	First Solicitation (FB-01708)	Second Solicitation (FB-02008)
All-Brand Supplies Distributor, Inc.	No response to solicitation	No Bid: Vendor responded indicating that it will not be submitting a bid
AMS Consultant, Inc. dba BP Food Services	Bid Submitted; Proposed rejection of bid as vendor distributes Gourmet Kosher meals, a brand deemed unacceptable after evaluation.	No response to solicitation
Exquisite Catering, Inc.	Bid Submitted; Proposed rejection of bid as price offered was higher than that currently paid by the County.	No response to solicitation
Gourmet Kosher, LLC. (SBE)	No response to solicitation	Not recommended for award; Brand deemed unacceptable after evaluation conducted during the first solicitation.
Independent Living Systems, LLC	No response to solicitation	Not recommended for award; Product offered did not meet the scope requirements
Influctec, Inc.	No response to solicitation	Price offered is higher than that of the vendor being recommended for award (Prawn Seafoods, Inc.)
JNS Foods, LLC (<i>Incumbent Vendor</i>)	Bid Submitted; Proposed rejection of bid as vendor distributes Gourmet Kosher meals, a brand deemed unacceptable after evaluation.	No response to solicitation
National Food Group, Inc.	Bid Submitted; Proposed rejection of bid as vendor distributes Gourmet Kosher meals, a brand deemed unacceptable after evaluation.	No response to solicitation
Out of Shell, LLC. dba Yangs 5th Taste	No Bid: Vendor responded indicating that it will not be submitting a bid	No Bid: Vendor responded indicating that it will not be submitting a bid
Prawn Seafoods, Inc. dba Sunset Foods (SBE; <i>Incumbent Vendor</i>)	Bid Submitted; Proposed rejection of bid as price offered was higher than that currently paid by the County.	Vendor Recommended for Award

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Research Notes**

Item No. 8F8 & 8F9

Research: JNF / Reviewer: PGE

File No. 212288 & 212289

Schwan's Food Service, Inc.	No response to solicitation	No Bid: Vendor responded indicating that it will not be submitting a bid
Trinity Services Group, Inc.	No response to solicitation	Price offered is higher than that of the vendor being recommended for award (Prawn Seafoods, Inc.)

It is unclear why the pricing offered by Prawn Seafoods, Inc. dba Sunset Foods was deemed too high in the evaluation of solicitation FB-01708 so as to merit rejection of this bid, and then later deemed acceptable as the vendor is now being recommended for award of Contract No. FB-02008. Detailed itemized kosher food pricing under current contract 8880-1/21, and itemized kosher food pricing proposed by the vendor recommended for award, Prawn Seafoods, Inc. dba Sunset Foods, was requested of MDCR on November 23, 2021. The response is pending as of the date of publication.

A class action lawsuit filed against the County in federal court on September 3, 2015, *Brown et al., v. Miami-Dade County Corrections And Rehabilitation Department* (Case No. 1:15-CV-23324) challenged the inmate meals policy as violating certain inmates' rights to religious freedom and equal protection. As part of the court-approved settlement, the County agreed to revise its Sincerity of Beliefs Test for inmates who request religious accommodations while incarcerated. OCA asked MDCR what effect this has had on the provision of kosher meals. The department's response is currently pending.

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

**Item No. 8L1
File No. 212248**

Research: CB / Reviewer: PGE

RESOLUTION REAPPOINTING SAM ACCURSIO AND IVONNE ALEXANDER TO THE AGRICULTURAL PRACTICES ADVISORY BOARD

Prime Sponsor: None

Requester: Regulatory and Economic Resources

Committee Action Date: 11/08/21 – County Infrastructure, Operations and Innovations Committee

RESEARCH FINDINGS

OCA completed the required background research regarding the reappointment of Sam Accursio and Ivonne Alexander to the Agricultural Practices Advisory Board. The research yielded no adverse informational findings for the appointees. This report is being provided as a Supplement to BCC Agenda File Item Number 212248.

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.

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

**Item No. 801
File No. 212787**

Research: MF / Reviewer: PGE

RESOLUTION RATIFYING ACTION BY THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE RELATED TO MIAMI-DADE WATER AND SEWER DEPARTMENT'S CONSENT DECREE AND CAPITAL IMPROVEMENT PROGRAMS ACCELERATION ORDINANCE PURSUANT TO SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA SPECIFICALLY THE AWARD AND EXECUTION OF FOUR NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENTS FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES TO HBC ENGINEERING COMPANY, 300 ENGINEERING GROUP, P.A., A.D.A. ENGINEERING, INC., AND BND ENGINEERS, INC., EACH IN AN AMOUNT NOT TO EXCEED \$2,200,000.00 WITH A TOTAL IN AN AMOUNT NOT TO EXCEED \$8,800,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS CONTAINED THEREIN

Prime Sponsor: None

Requester: Water and Sewer Department (WASD)

Committee Action: None

RESEARCH FINDINGS

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

1. All four recommended contractors under this item, HBC Engineering Company, 300 Engineering Group, P.A., A.D.A. Engineering, Inc., and BND Engineers, Inc., were recommended for contract negotiations June 16, 2021. The WASD director approved award for three firms on August 27, 2021 (HBC Engineering, 300 Engineering and A.D.A. Engineering), and approved award for BND Engineers on September 2, 2021, pursuant to his delegated authority under Section 2-8.2.12 of the County Code (WASD Consent Decree and Capital Improvement Programs Acceleration Ordinance). The ordinance requires any act undertaken pursuant to it to be ratified by the BCC at its next available meeting and not be subject to the 4-day Rule. As such, the first three signed items from August 27, 2021 should have traveled to the Board at its September 1, 2021 BCC meeting, while the BND Engineers item, which was signed September 2, 2021, should have traveled to the Board on October 5, 2021.

FINANCIAL ANALYSIS

OCA reviewed the County's Business Management Workforce System on November 29, 2021; Table 1 below provides a snapshot of the contracts previously awarded to the recommended four vendors under this item.¹ Note that the totals listed for each vendor are not inclusive of those additional contracts where the vendors have served as subcontractors on County projects; the list below only provides a summary of those contracts where the vendors served as prime.

Table 1

Financial History of Recommended Vendors				
Vendor	Contract Title	Dates	Award Amount	Paid Amount

¹Miami-Dade County, Business Management Workforce System, <https://mdcsbd.gob2g.com/>

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

**Item No. 801
File No. 212787**

Research: MF / Reviewer: PGE

HBC Engineering	Recertification of West Transfer Station Bldg. 1	9/22/21 – 9/22/2026	\$20,000	\$0
	FDOT Program Engineering & Design Related to DTPW Safe Routes to School Projects	6/6/2017 – 6/5/2022	\$300,000	\$0
	Rickenbacker Causeway Improvements	8/31/2015 – 12/31/2019	\$170,000	\$139,569
	PSA Engineering – Safe Routes to Schools	6/21/2017 – 6/21/2022	\$300,000	\$0
	Ron Ehman Park – Sanitary Sewer Connection	11/4/2020 – 11/4/2025	\$103,741	\$67,942
	ATMS MOT Plans Review	2/2/2021 – 2/2/2026	\$500,000	\$0
	TOTAL		\$1,393,741	\$207,511
300 Engineering Group, P.A	Engineering and Geographic Information System	11/4/2013 – 12/31/2019	\$200,000	\$197,546
	Haulover Park – Sanitary Sewer System	4/30/2020 – 4/30/2025	\$32,490	\$0
	Bayfront Park Sewage Treatment Plant Replacement	3/13/2020 – 3/13/2025	\$197,761	\$37,324
	IT Consulting Services	1/1/2019 – 12/31/2023	\$0	0
	Multiple MEP Services III	6/16/2020 – 6/16/2025	\$200,000	\$9,841
	Multiple Water Transmission and Distribution Projects	1/31/2014 – 1/31/2017	\$200,000	\$143,601
	Marine Construction	5/24/2017 – 12/31/2019	\$200,000	\$102,782

**BCC Meeting:
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	Management Services			
	Non-Exclusive PSAs	12/21/2017 – 9/30/2021	\$3,300,000	\$285,784
	Pipeline Improvements	6/3/2014 – 1/31/2017	\$44,463	\$142,848
TOTAL			\$4,374,714	\$919,726
A.D.A Engineering, Inc.	Chapman Field Park-Roadway and Canoe Launch Paving	12/2/2020 – 7/26/2021	\$831,939	\$210,646
	General MEP Engineering and Design	10/25/2019 – 10/25/2024	\$2,205,500	\$0
	MEP Consulting Services-Various Locations	7/31/2020 – 7/31/2025	\$200,000	\$0
	MIA Sat.-North Apron	4/20/2012 – 12/31/2019	\$40,000	\$0
	Coral Gables Loop Canal Stabilization Part III	12/5/2017 – 12/4/2023	\$3,300,000	\$558,729
	Small Diameter Water and Wastewater Pipelines	2/7/2017 – 12/31/2019	\$400,000	\$398,999
	Stormwater Master Plan Update	4/11/2017- 12/31/2019	\$400,000	\$354,781
	Munisport Landfill Closure Construction	10/30/2012 – 12/31/2019	\$90,000	\$17,171
	AV Sanitary Sewer Improvements	8/15/2014 – 12/31/2019	\$134,401	\$137,285
	Dolphin Park & Ride Improvements	10/21/2020 – 10/21/2023	\$590,661	\$30,849
TOTAL			\$8,192,501	\$1,708,460
BND Engineers, Inc.	Arch Creek Park-Picnic Shelter Drainage	2/25/2021 – 2/25/2026	\$12,000	\$0

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	MIA Water Distribution System Improvements	4/1/2015 – 1/31/2017	\$55,000	\$27,680
TOTAL			\$67,000	\$27,680

ADDITIONAL INFORMATION

OCA consulted the County's Capital Improvements Information System (CIIS) on November 29, 2021 pertaining to the four recommended vendors' evaluations, for which the maximum possible total score is 4.0. Bulleted below are the findings.

1. HBC Engineering Company – 6 evaluations with an average score of 3.7;
2. 300 Engineering Group, P.A. – 12 evaluations with an average score of 3.8;
3. A.D.A. Engineering, Inc. – 21 evaluations with an average score of 3.7;
4. BND Engineers, Inc. – 14 evaluations with an average score of 3.2.

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

**Item No. 802
File No. 212788**

Research: MF / Reviewer: PGE

RESOLUTION RATIFYING ACTION BY THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE RELATED TO MIAMI-DADE WATER AND SEWER DEPARTMENT'S CONSENT DECREE AND CAPITAL IMPROVEMENT PROGRAMS ACCELERATION ORDINANCE PURSUANT TO SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA SPECIFICALLY APPROVING AWARD OF A CONSTRUCTION CONTRACT FOR OCEAN OUTFALL LEGISLATION PROGRAM CONSTRUCTION PACKAGE ST-1B OXYGENATION TRAINS 1-7 REHABILITATION AND ELECTRICAL BUILDINGS, CONTRACT NO. S-935, TO POOLE & KENT COMPANY OF FLORIDA, IN THE TOTAL AMOUNT NOT TO EXCEED \$80,560,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS CONTAINED THEREIN

Prime Sponsor: None

Requester: Water and Sewer Department (WASD)

Committee Action: None

RESEARCH FINDINGS

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

1. On June 8, 2021, WASD's engineer of record recommended contractor Poole & Kent Company of Florida for award. The WASD director approved award on July 14, 2021 pursuant to his delegated authority under Section [2-8.2.12](#) of the County Code (WASD Consent Decree and Capital Improvement Programs Acceleration Ordinance). The ordinance requires any act undertaken pursuant to it to be ratified by the BCC at its next available meeting and not be subject to the 4-day Rule. As such, this item should have traveled to the Board at its September 1, 2021 BCC meeting.
2. OCA's review of the County's Business Workforce Management System (BMWS) on November 24, 2021 showed a total of 25 contracts have been awarded to the recommended contractor as prime with a value of \$683,571,834 – of which \$317,784,183 has been paid.¹ The report provided in the mayor's background information shows 24 contracts awarded to Poole & Kent with a total value of \$575,966,434, of which \$291,511,353 has been released.
3. The mayoral memo refers to Exhibit K on page 11 of the PDF document uploaded for this item (Legistar File No. [212788](#)) regarding the previously awarded County contracts to Poole & Kent. However, Exhibit K is not attached and instead the list of contract awards is labeled as Exhibit J.

ADDITIONAL INFORMATION

A review of the Occupational Safety and Health Administration's (OSHA) website on November 24, 2021 showed the Baltimore, Maryland office of Poole & Kent Corporation (the recommended contractor) had a reported [accident](#) on December 23, 2020, to which a penalty of \$3,200 was assessed. The case was closed September 22, 2021; no details pertaining the nature of the incident were provided by OSHA.

OCA's review of the County's Capital Improvements Information System (CIIS) on November 24, 2021 found 75 [evaluations](#) on file for Poole & Kent Company of Florida, with an average evaluation score of 3.5 out of a maximum of 4.0. This contrasts with the information in the mayor's memo which cites 70 evaluations.

¹Miami-Dade County, Business Management Workforce System, <https://mdcsbd.gob2g.com/>

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).