



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

**COMMISSION AUDITOR'S
INFORMATIONAL RESEARCH**

BOARD OF COUNTY COMMISSIONERS MEETING

February 1, 2022

9:30 A.M.

Commission Chambers

Yinka Majekodunmi, CPA
Commission Auditor

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Research Notes**

**Item No. 8F1
File No. 213086**

Research: PAR / Reviewer: SC

RESOLUTION AUTHORIZING AWARD OF A LEGACY CONTRACT FOR EMPHASYS ELITE MAINTENANCE AND TECHNICAL SUPPORT FOR THE PUBLIC HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT, CONTRACT NO. L-7991, TO EMPHASYS COMPUTER SOLUTIONS INC. DBA EMPHASYS SOFTWARE IN A TOTAL AMOUNT NOT TO EXCEED \$1,135,115.00, CONSISTING OF \$500,000.00.00 FOR THE INITIAL ONE-YEAR TERM AND \$635,115.00 FOR THE TWO, ONE-YEAR OPTIONS TO RENEW TERM; 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 RENEWALS, EXTENSIONS 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 (ISD)

Committee Action: 1/13/2022 – Forwarded to BCC with a favorable recommendation by Public Housing and Community Services Committee

RESEARCH FINDINGS

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

1. Miami-Dade Public Housing and Community Development (PHCD) seeks to consolidate the services provided under SS7991-15/22-15 and BW8360-13/22-13 into one Legacy agreement for a one-year term with two, one-year options-to renew (OTR). The Mayor's Memorandum states that competition for these services is not practicable at this time since Emphasys Computer Solutions, Inc. (Emphasys) is the proprietary owner of the software and is the sole vendor capable of providing the required licenses, maintenance, technical support services, and professional services. OCA market research reveals that this justification has been provided by PHCD as far back as 3/26/2008. In 2013, market research also identified one potential competitor for a replacement system, Constellation Software.
2. Pursuant to [R-98-12](#), before any option-to-renew period is exercised by the County on any contract, the County Mayor or County Mayor's designee is directed to attempt to negotiate better pricing for the County. Based on review of market research within the County's Bid Tracking System¹ (BTS), negotiations with Emphasys were attempted by County staff, however, it is unclear if County staff successfully lowered pricing within the contracts.

FINANCIAL ANALYSIS

OCA's examination of the requested allocation of \$1,135,115 estimates that a total of \$204,940 will be allocated to Annual Professional Services for the first year of the contract. PHCD is not requesting Annual Professional Services for the first and second, one-year OTRs.

Line-Item Description	Contract Amount <i>(rounded to nearest dollar)</i>
Initial One-Year Term Annual Professional Services	\$204,941
Initial One-Year Term Annual Support Services	\$295,060
First, One-Year Option to Renew Annual Support Services	\$309,812
Second, One-Year Option to Renew Annual Support Services	\$325,303
Total	\$1,135,115

Pursuant to [R-171-06](#), the initial allocation amount for SS7991-15/22 was \$460,295 for the first year and

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\$120,000 for each OTR year, including an approximate 5% annual increase on the maintenance portion of the contract for all OTR years. The estimated cumulative value for the awarded contract was \$2,994,018 for 16 years, however the current modified cumulative value is \$7,960,295.

ADDITIONAL INFORMATION

- Although maintenance and support of the current system is proprietary, there are several software options available for a replacement system. It is unknown if all HUD software providers meet the operational needs of the Department.
- According to the market research found through the County's BTS¹, the services provided by Emphasys were provided through two phases. Phase 1 provided the Miami-Dade Housing Authority (MDHA), now known as PHCD, with software upgrades and the additional modules needed to meet new requirements set forth by HUD. Phase 2 provided MDHA with professional services to assist staff with business process review and redesign services for the Elite Low Income Public Housing, Tenant Accounting, Utility Administration, Financial, Property Management, Executive Dashboard Portal, and reporting Modules.
 - The services provided through SS7991-15/22 – Emphasys Computer Solutions Software and Maintenance were initially procured in 1990 through RFP-88-75 and approved by Resolution R-973-90. Additional details during this period are limited due to the age of the contract.
 - BW8360-13/22 – Emphasys Professional Services provides a vehicle for ongoing system support and enhancements.
- On January 26-28, 2022, OCA inquired with PHCD, pertaining to the age of the system and required upgrades; the development of a preliminary scope or needs assessment for a replacement system; next steps to procure and implement a replacement system during the term of the proposed Legacy agreement; the estimated cost for the replacement of the system and annual fees; and the specific operational capabilities or challenges that prevent PHCD from procuring replacement software from other HUD software providers.

PHCD disclosed that the system's last major update was in July 2019 and would undergo another major update CY2022. PHCD also indicated that they have not started developing a preliminary scope or needs assessment for a replacement system. Also noting that they do not have an immediate need to replace the system. PHCD provided no estimates of the replacement costs.

As a follow-up, OCA requested details pertaining to major updates scheduled for implementation in CY2022 and any pending enhancements to the system needed to capture program, performance, case management, or accounting data. In response, PHCD noted that the improvements scheduled for CY2022 would improve system performance, security, and functionality. PHCD also indicated there are no pending enhancements to the current system to capture program, performance, case management, or accounting data.

¹Miami-Dade County, Bid Tracking System, <https://intra8.miamidade.gov/Apps/ISD/eProcurement/Login.aspx>

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Research Notes**

**Item No. 8F2
File No. 213091**

Research: VW / Reviewer: SC

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$926,000.00 FOR A MODIFIED CONTRACT AMOUNT OF \$1,676,000.00 FOR CONTRACT NO. 94131608-16-P FOR THE PURCHASE OF CLEANING CHEMICALS AND SUPPLIES-PRIDE FOR THE MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY EXTENSIONS 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: 1/13/22 – Community Safety and Security Committee (CSSC)

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

OCA sent the following inquiries to the Corrections and Rehabilitation Department on January 26, 2022:

1. Provide a breakdown of how much the department has spent on COVID-19 related cleaning on *Contract No. 94131608-16-P, Cleaning Chemicals and Supplies – PRIDE* and *FB-00634, Janitorial Supplies and Related Item*, respectively.
2. How much has the department utilized in CARES Act funding for COVID-19 related cleaning?

As of the date of this publication, no response was received from the Department.

ADDITIONAL INFORMATION

The table below lists the contractor's, Prison Rehabilitative Industries and Diversified Enterprises, Inc. dba PRIDE Enterprises (PRIDE), current and previous cleaning chemicals contracts with the County. According to the Bid Tracking System¹ (BTS), the previous two contracts still have remaining balances within the Blanket Purchase Order (BPO) summary sheets.

Contract Name	Contract Term	Allocation Amount
94131608-15-P	11/12/2014-02/22/2015	\$100,000
94131608-15P-1	02/23/2015-02/22/2016	\$100,000
94131608-16-P	04/18/2016-02/11/2026	\$750,000

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Research: VW / Reviewer: SC

The subsequent table provides a summary of payments made to the contractor as documented through the County's Vendor Payment Inquiry Application² for calendar years 2014 - 2021. Note: The payments reflected may not be exclusive to the subject contract.

Calendar Year	Total Checks Paid
2014	\$11,517
2015	\$703,000
2016	\$230,169
2017	\$363,671
2018	\$216,290
2019	\$287,470
2020	\$309,766
2021	\$47,611
Total = \$2,169,493	

¹Miami-Dade County, Bid Tracking System, <https://intra8.miamidade.gov/Apps/ISD/eProcurement/Login.aspx>

²Miami-Dade County, Vendor Payment Inquiry Application,
https://w85exp.miamidade.gov/VInvoice/1_0a_vendor_login.jsp

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**Item No. 8F3
File No. 212947**

Research: MF / Reviewer: SC

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$64,000,000.00 FOR A MODIFIED CONTRACT AMOUNT OF \$84,595,999.00 FOR CONTRACT AND POOL NO. FB-01316 FOR THE PURCHASE OF TRANSIT BUS PARTS AND SERVICES FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY EXTENSIONS OR CANCELLATION PROVISIONS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38; 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 (ISD)

Committee Action: 1/11/22 – Transportation, Mobility and Planning (TMPC)

TMPC Meeting Recap: At the January 11, 2022 TMPC meeting, District 11 Commissioner Joe A. Martinez inquired in reference to obtaining a list of the transit bus parts being purchased when the item travels to the BCC.

RESEARCH FINDINGS

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

1. The mayoral memorandum indicates that *some bus components of the extended warranty, such as transmission, wheelchair ramp, headlights, radiator, suspension, et al, are covered under a 150,000 miles/three year warranty, whichever comes first*; furthermore, the memorandum states that *a warranty claim for those components will be determined by the cause or failure, and if a warranty claim is compensable or not*. As such, it is not clear whether DTPW has completed a recent inventory of fleet maintenance status to determine the quantity of buses that would qualify for said extended warranty claim.
2. Per the mayoral memorandum, *the Board, through Resolution R-544-20, approved an allocation of \$9,595,000 for year one and two for the contract under Group 1 and concurrently \$10,000,000 for five years for the pool under Groups 2 and 3 for future competition, (hybrid approach), and it was indicated in the item that additional allocation would be requested at a later date for bus parts and services based on usage. The award amount under Group 1 was based on a two-year allocation to purchase frequently used parts, and a one-year allocation under Groups 2 and 3 to purchase additional parts not awarded under Group 1 and services, respectively*. However, the statement is contrary to what was cited in the adopted 2020 Resolution, No. R-544-20, which stated: *The fiscal impact for the initial two years for Group 1 is estimated at \$9,595,000 and the fiscal impact for the initial one year for Group 2 and 3 is estimated at \$10,000,000*.
3. There is no attached recommendation by the Citizens' Independent Transportation Trust, pursuant to and as required by County Code Section 29-124(f)(ii).

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FINANCIAL ANALYSIS

OCA conducted an analysis of the previous pool, *Pool No. 5745-2/14*, and current *Contract and Pool No. FB-01316*. The initial contract, approved in 2009, was valued, cumulatively, at \$285,770,510 for a term of 11 years and three months, from April 1, 2009 to June 30, 2020. Tables 1 and 2 set forth a summary timeline and comparative analysis between the initial contract and subsequent 2020 replacement contract.

Table 1

Category	Effective Date	Previous Pool No. 5745-2/14	Approval Authority
Initial Allocation	April 1, 2009	\$49,070,000	R-191-09
Extension	April 02, 2009	\$22,850	Administrative
Extension	February 2, 2010	\$25,000	Administrative
Extension	September 8, 2010	\$90,000	Administrative
Option No. 1	April 1, 2011	\$49,207,850	R-191-09
Option No. 2	April 1, 2013	\$49,207,850	R-191-09
Extension	September 16, 2014	\$112,686,000	R-806-14
Extension	September 16, 2014	\$450	R-806-14
Extension	October 3, 2019	\$19,000,000	R-1040-19
Extension	January 29, 2020	\$6,460,510	Administrative
TOTAL:		\$285,770,510*	--
Annual Allocation		\$25,401,823	11-year, 3 month term

*Figure shown is cumulative and inclusive of multiple user Departments

Table 2 below sets forth DTPW's allocation under the previous pool, which represented 97% of the total allocation of the pool, as well as information for current *Contract and Pool No. FB-01316*, inclusive of the additional expenditure request under this item and a comparison of the annual allocation.

Table 2

Category	Previous Pool No. 5745-2/14 DTPW Allocation	Current Contract/Pool No. FB-01316
Cumulative Allocation	\$277,757,759	\$84,445,000
Annual Allocation	\$24,689,578	\$16,889,000
Contract Term	11 years, 3 months	5 years

The annual allocation for current *Contract and Pool No. FB-01316* prior to this modification request is \$14,797,500.

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Research: MF / Reviewer: SC

OCA consulted the County's Vendor Payment Inquiry Application to obtain the financial history of each awarded vendor under this item. Table 3 below provides a synopsis of the cumulative payments made to each vendor for the past five years (from 2016 – 2021).¹ Note: The payments reflected may not be exclusive to the subject contract and pool.

Table 3

Vendor Payment History with the County		
Vendor	Years	Cumulative Total
B & G Auto Parts Warehouse, Inc.	February 2016 – March 2021	\$1,422,184
Central Turbos Corp.	February 2021	\$33,899
Cubic Transportation Systems, Inc.	March 2016 – March 2021	\$33,636,467
Cummins, Inc.	March 2016 – July 2019	\$7,317,344
Dartco Transmission Sales & Service, Inc.	N/A	No payments
Discount Diesel Truck Parts, Inc.	January 2016 – August 2020	\$8,081,545
Eco-Tech Fleet Services, LLC	December 2018 – March 2021	\$19,039
Electric Sales and Service, Inc.	January 2016 – March 2021	\$5,142,195
Fraser Tool & Gauge, LLC	February 2017 – November 2018	\$339,816
Future Glass Enterprises, Inc.	N/A	No payments
Genuine Parts Company	N/A	No payments
Gillig, LLC	January 2016 – March 2021	\$75,367,295
Graffiti Shield, Inc.	N/A	No payments
Hunt Incorporated	N/A	No payments
J. David White Associates, Inc.	N/A	No payments
Jack Lyons Truck Parts, Inc.	January 2016 – March 2021	\$397,981
The Janek Corporation	January 2016 – August 2020	\$617,871
Kirks Automotive, Inc.	January 2016 – October 2020	\$534,126
Midwest Bus Corporation	January 2016 – February 2021	\$1,019,269
Mohawk Mfg. & Supply Co.	January 2016 – February 2021	\$1,956,909
Muncie Reclamation and Supply Company	January 2016 – March 2021	\$1,780,317
Natsco Transit Solutions, Inc.	N/A	No payments
Neopart Transit Solutions, Inc.	October 2016 – February 2021	\$780,197
P.S. Systems, Inc.	January 2016 – February 2021	\$1,495,705

¹Miami-Dade County, Vendor Payment Inquiry Application,
https://w85exp.miamidade.gov/VInvoice/1_0a_vendor_login.jsp

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Rechtien International Trucks, Inc.	January 2016 – March 2021	\$8,723,989
Reliable Transmission Service, Inc.	November 2014 – January 2015	\$13,716.07
Romaine Electric Corporation	N/A	No payments
Southern Coach Manufacturing Company, Inc.	February 2016 – March 2021	\$290,664
Stewart & Stevenson FDDA, LLC	January 2016 – March 2021	\$14,747,217
Total Truck Parts, Inc.	January 2016 – March 2021	\$13,787,620
Transit Holdings, Inc. dba NFI Parts	January 2019 – March 2021	\$14,498,580
Translite Enterprises, Inc.	N/A	No payments
Truckpro Holding Corporation	November 2016 – March 2021	\$769,728
Union County Seating and Supply, Inc.	March 2016 – March 2021	\$287,009
Vehicle Maintenance Program Inc.	February 2016 – March 2021	\$1,731,345

ADDITIONAL INFORMATION

The additional expenditure request under this item differs from the original contract in that preventative maintenance was not listed in the original.

OCA conducted diligence through Westlaw pertaining the subject vendors. As bulleted below, two of the subject vendors have pending legal cases.

- **Cummins Inc.** – A negligence case (No. CGC-21-276981) *Dennis Hale and Lora Hale v. Air Liquid Systems Corp. Individually and as Et Al.*, was filed November 15, 2021 in the Superior Court of San Francisco County. According to the complaint, the co-defendants created an unsafe workplace by having the plaintiff exposed to dangerous quantities of asbestos fibers and other toxic substances from automobile equipment (such as gaskets, mufflers). As a result, it is alleged the plaintiff was diagnosed with lung cancer and other lung disease. According to the last docket activity on the case, as of November 24, 2021 a summons had been issued to plaintiff.
- **Genuine Parts Company** – A wrongful death lawsuit (Case No. GD-22-000536) *Duncan v. A.O. Smith Corporation, et al*, was filed January 13, 2022 in the Court of Common Pleas of Allegheny County, Pennsylvania. Per the complaint, the co-defendants exposed the plaintiff to asbestos materials and other dangerous materials, thereby resulting in plaintiff's mesothelioma diagnosis and eventual death. As of January 26, 2022, there was no updated docket activity on the case.

A review of the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) website yielded cases filed against the identified subject vendors. Table 4 below provides a summary.

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Table 4

OSHA Cases				
Vendor	Office Location	Complaint Opened Date	Complaint Closed Date	Details
Cummins Inc.	Reno, Nevada	8/15/2018	11/27/2018	Not available ²
	Tennessee	6/25/2019	9/17/2019	Penalty: \$7,700 ³
	Bismarck, North Dakota	7/19/2019	12/20/2019	Not available ⁴
Genuine Parts Company	Augusta, Maine	8/5/2019	11/6/2019	Penalty: \$7,084; Settlement for: \$3,542 ⁵
	Naperville, Illinois	12/13/2018	3/6/2019	Penalty: \$9,661; Settlement for: \$5,800 ⁶

On January 26, 2022, OCA inquired with the Department of Transportation and Public Works – the user department for this item – pertaining to contract details; the Department replied on January 28, 2022. The questions posed and responses are summarized below.

Forecasting of Expenditures and Usage

The contract award for FB-01316 noted a fiscal impact of \$9,595,000 for the first 2 years of Group 1 and a fiscal impact of \$10,000,000 for the first year of Group 2 and 3. Regarding the reasons why the additional expenditure was not forecasted in the initial allocation approved in 2020 through [R-544-20](#), DTPW stated said resolution establishing this hybrid contract-pool only approved funding for the first two years for Group 1 and for one year for Groups 2 and 3, this modification request is to satisfy the department's needs for the balance of the five-year term. As it pertains to the explanation of the estimated usage for the remainder of the contract (which is higher) and the factors that led to such increase, DTPW replied that while the buses were under warranty, DTPW averaged \$1,108,000 per month in spend for parts/repair components and preventive maintenance. This amount is expected to increase due to the expiration of the bumper-to-bumper warranties.

²U.S. Department of Labor, Occupational Safety and Health Administration, https://www.osha.gov/pls/imis/establishment.inspection_detail?id=1339788.015

³U.S. Department of Labor, Occupational Safety and Health Administration, https://www.osha.gov/pls/imis/establishment.inspection_detail?id=1374519.015

⁴U.S. Department of Labor, Occupational Safety and Health Administration, https://www.osha.gov/pls/imis/establishment.inspection_detail?id=1418062.015

⁵U.S. Department of Labor, Occupational Safety and Health Administration, https://www.osha.gov/pls/imis/establishment.inspection_detail?id=1420816.015

⁶U.S. Department of Labor, Occupational Safety and Health Administration, https://www.osha.gov/pls/imis/establishment.inspection_detail?id=1366940.015

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Current Bus Fleet Preventative Maintenance Status

A list of the current bus fleet's preventative maintenance status for each vehicle, specifically identifying vehicle age, mileage, whether the vehicle is on an active route, and the status of each vehicle's preventative maintenance was not available as of publication of this research. DTPW indicated the Department would provide the information once it is compiled.

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Research Notes**

**Item No. 8L5
File No. 220072**

Research: CB / Reviewer: SC

**RESOLUTION APPOINTING TRUMAN EUGENE “GENE” DUNCAN, JR. TO THE MIAMI-DADE COUNTY
BISCAYNE BAY WATERSHED MANAGEMENT ADVISORY BOARD FOR A FOUR-YEAR TERM**

Prime Sponsor: Commissioner Rebeca Sosa, District 6.

Requester: Regulatory and Economic Resources

Committee Action Date: None

RESEARCH FINDINGS

OCA completed the required background research regarding the appointment of Truman Eugene “Gene” Duncan, Jr. to the Miami-Dade County Biscayne Bay Watershed Management Advisory Board. The research yielded no adverse informational findings for this appointee. This report is being provided as a Supplement to BCC Agenda File Item Number 220072.

FINANCIAL ANALYSIS

N/A

ADDITIONAL INFORMATION

1. 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.
2. In order to vet applicants for County Boards or Trusts, OCA receives each applicant’s full name, including middle name and date of birth. Once that information is received from the entity forwarding the background research request, OCA investigates the following:
 - A. Conducts a Westlaw public records search to check for additional risk factors; these factors include any criminal record or financial judgment that does not have an associated release or acquittal.
 - B. Checks the Miami-Dade Clerk of the Courts website for judgments. Judgments include federal tax liens and criminal court proceedings. Where the tax lien has an associated certificate of release, such information is not considered a finding unless specifically requested by the Board.

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Research Notes**

**Item No. 8N6
File No. 212873**

Research: PAR / Reviewer: SC

RESOLUTION APPROVING CONTRACT AWARD OF FIVE PROFESSIONAL SERVICES AGREEMENTS WITH AECOM TECHNICAL SERVICES, INC., KIMLEY-HORN AND ASSOCIATES, INC., BCC ENGINEERING, LLC, GANNETT FLEMING, INC., AND HNTB CORPORATION, TO PROVIDE PROFESSIONAL SERVICES FOR TRANSIT AND PUBLIC WORKS PROJECTS, PROJECT NO. E19-DTPW-11; CONTRACT NOS. CIP215-DTPW19-DE (1-5), IN AN AMOUNT NOT TO EXCEED \$5,500,000.00 PER AGREEMENT, INCLUSIVE OF A CONTINGENCY ALLOWANCE OF \$500,000.00; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENTS AND EXERCISE ALL PROVISIONS CONTAINED THEREIN ON BEHALF OF MIAMI-DADE COUNTY; AND AUTHORIZING THE USE OF PEOPLE'S TRANSPORTATION PLAN (PTP) BOND PROGRAM FUNDS FOR SUCH PURPOSES FOR PROJECTS WHICH WERE INCLUDED IN THE ORIGINAL EXHIBIT 1 TO THE PTP PLAN OR WERE ADDED TO THE FIVE-YEAR IMPLEMENTATION PLAN [SEE ORIGINAL ITEM UNDER FILE NO. 212081]

Prime Sponsor: None

Requester: Internal Services Department

Committee Action: 12/7/2021 – Meeting canceled by Transportation, Mobility and Planning Committee.

1/11/2022 – Forwarded to the BCC by the BCC Chairperson with a favorable recommendation by Transportation, Mobility and Planning Committee (Passed 6-1)

1/19/2022 – 4-Day Rule Invoked

RESEARCH FINDINGS

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

FINANCIAL ANALYSIS

A comparison of changes to the Fiscal Impact/Funding Source section of the mayoral memoranda are listed in Table 1 below.

Table 1

FUNDING SOURCE	FILE NO. 212081 (Withdrawn Item)	FILE NO. 212873 (Substitute Item)
PTP Capital Reserve Fund	\$6,124,881	\$3,124,881
PTP	\$10,736,376	\$12,651,376
FDOT	\$1,707,237	\$1,707,237
FTA 2005(b) – Pilot Program for TOD Planning Discretionary Grant	\$1,940,000	\$1,940,000
FTA 5307 Transfer	\$3,447,834	\$3,447,834
FTA 5307-Urbanized Area Formula Grant	\$905,333	\$180,333
FTA Section 5309 Discretionary Grant	-	\$725,000
Future Funding and Approved Capital Projects	-	\$2,638,339

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**Item No. 8N6
File No. 212873**

Research: PAR / Reviewer: SC

Road Impact Fees	\$1,338,339	\$1,085,000
CIIP Program Revenues	\$1,300,000	-
Total	\$27,500,000	\$27,500,000

ADDITIONAL INFORMATION

- Table 2 below lists the seventeen (17) certified subcontractors identified within the five (5) Professional Services Agreements. There are 48 subcontractors total. Subcontractor certification was verified through the Business Management Workforce System¹.
 - Airport Concessionaire Disadvantaged Business Enterprise (ACDBE)
 - Disadvantaged Business Enterprise (DBE)
 - Local Developing Business (LDB)
 - Small Business Enterprise – Architectural & Engineering (SBE-A&E)
 - Small Business Enterprise (SBE) – Construction (SBE-Con)
 - Small Business Enterprise (SBE) – Goods & Services (SBE-G&S)

Table 2

SUBCONTRACTOR	CERTIFICATION TYPE
Caltran Engineering Group, Inc.	SBE-A&E; SBE-G&S
Creativision Media, Inc.	DBE; SBE-G&S
Cunningham Communications Consulting Company	DBE; SBE-G&S
EV Services, Inc.	ACDBE; DBE; SBE-G&S
Fernandez-Beraud Inc.	DBE; SBE-A&E; SBE-G&S
Geosol, Inc.	SBE-A&E; SBE-G&S
Glass Land Acquisition Service Specialists, Inc.	SBE-G&S
Hammond & Associates, Inc.	SBE-A&E; SBE-G&S
HBC Engineering Company	DBE; LDB; SBE-A&E
HR Engineering Services, Inc	DBE; SBE-A&E; SBE-G&S
Infinite Source Communications Group, LLC	SBE-G&S
J Bonfill and Associates Inc.	DBE; SBE-A&E; SBE-G&S
Longitude Surveyors, LLC	ACDBE; DBE; SBE-A&E; SBE-G&S
Nova Consulting, Inc.	DBE; SBE-G&S
PE Consulting Engineering Inc	SBE-A&E
Program Controls, Inc.	DBE; SBE-A&E; SBE-G&S
305 Consulting Engineers, LLC	DBE; SBE-A&E; SBE-G&S

- On January 26, 2022, OCA inquired with the Department of Transportation and Public Works – the user department for this item – pertaining to contract details. The questions posed and responses are summarized below.

The mayoral memorandum indicates Work Orders that solely utilize local funds will be provided to the Small Business Development Division for review and determination for small business measures. In response to OCA's inquiry, DTPW stated that approximately \$22,700,000 from the projects listed in Exhibit 2 are local funds.

**BCC Meeting:
February 1, 2022
Research Notes**

**Item No. 8N6
File No. 212873**

Research: PAR / Reviewer: SC

The item also states that contracts for professional engineers with various specialized services are needed to complete the noted projects, as in-house staff cannot perform the services. OCA inquired with DTPW concerning the review of in-house capabilities (professional staff) to perform the requested services, including identifying which specialized engineering services could not be provided by in-house staff. DTPW replied by referencing the first paragraph of page 4 of the mayoral memorandum.

As a follow-up, OCA requested clarification regarding the availability of licensed and certified in-house staff for the noted specialized engineering services and projects. OCA also inquired if any portion of the PSA's could be performed by in-house staff. And lastly, a statement concerning DTPW's intent to increase certified and licensed in-house staff was also requested. No response was received by the research note publication date. As of the date of this report, DTPW employs a staff of 120 engineers of various disciplines.

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

**BCC Meeting:
February 1, 2022
Research Notes**

**Item No. 11A5
File No. 213101**

Research: CB / Reviewer: SC

RESOLUTION REAPPOINTING RONALD L. BOOK TO THE MIAMI-DADE COUNTY HOMELESS TRUST BOARD; WAIVING BY A TWO-THIRDS VOTE OF THE FULL MEMBERSHIP OF THE BOARD OF COUNTY COMMISSIONERS THE RESIDENCY REQUIREMENT OF SECTION 2-11.38 OF THE CODE OF MIAMI-DADE COUNTY

Prime Sponsor: Commissioner Jean Monestime, District 2.

Requester: None

Committee Action Date: 1/13/2022 – Public Housing and Community Services Committee.

RESEARCH FINDINGS

OCA completed the required background research regarding the reappointment of Ronald L. Book to the Miami-Dade County Homeless Trust Board. The research yielded no adverse informational findings for this appointee. This report is being provided as a Supplement to BCC Agenda File Item Number 213101.

FINANCIAL ANALYSIS

N/A

ADDITIONAL INFORMATION

1. 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.
2. In order to vet applicants for County Boards or Trusts, OCA receives each applicant's full name, including middle name and date of birth. Once that information is received from the entity forwarding the background research request, OCA investigates the following:
 - A. Conducts a Westlaw public records search to check for additional risk factors; these factors include any criminal record or financial judgment that does not have an associated release or acquittal.
 - B. Checks the Miami-Dade Clerk of the Courts website for judgments. Judgments include federal tax liens and criminal court proceedings. Where the tax lien has an associated certificate of release, such information is not considered a finding unless specifically requested by the Board.

**BCC Meeting:
February 1, 2022
Research Notes**

**Item No. 15C1
File No. 213083**

Research: CB / Reviewer: SC

NOMINATIONS 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 Ballot Appointment to the Clean Technology Task Force for Jose M. Gonzalez and Bruno Lopes. The research yielded no adverse informational findings for the nominees. This report is being provided as a Supplement to BCC Agenda File Item Number 213083.

FINANCIAL ANALYSIS

N/A

ADDITIONAL INFORMATION

1. 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.
2. In order to vet applicants for County Boards or Trusts, OCA receives each applicant's full name, including middle name and date of birth. Once that information is received from the entity forwarding the background research request, OCA investigates the following:
 - A. Conducts a Westlaw public records search to check for additional risk factors; these factors include any criminal record or financial judgment that does not have an associated release or acquittal.
 - B. Checks the Miami-Dade Clerk of the Courts website for judgments. Judgments include federal tax liens and criminal court proceedings. Where the tax lien has an associated certificate of release, such information is not considered a finding unless specifically requested by the Board.

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).