



OFFICE OF THE COMMISSION AUDITOR

COMMISSION AUDITOR'S INFORMATIONAL RESEARCH

BOARD OF COUNTY COMMISSIONERS MEETING

July 7, 2022

9:30 A.M.

Commission Chambers

Yinka Majekodunmi, CPA
Commission Auditor

Office of the Commission Auditor (OCA)
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Pursuant to Resolution No. R-229-09, the Office of the Commission Auditor (OCA) monitors the Miami-Dade Board of County Commissioners' agenda to provide legislative analysis of agenda items that include research findings and additional value-added information, if available, or at the request of a Commissioner.

**BCC Meeting:
July 7, 2022
Research Notes**

**Item No. 5A
File No. 221345**

Research: CB / Reviewer: SC

RESOLUTION RENAMING THE SOUTH MIAMI-DADE CULTURAL ARTS CENTER THE “DENNIS C. MOSS CULTURAL ARTS CENTER” BY A THREE-FIFTHS VOTE OF BOARD MEMBERS PRESENT; SUSPENDING RULE 9.02(D)(II) BY A TWO-THIRDS VOTE OF COMMISSIONERS PRESENT AS IT RELATES TO THIS ITEM

Prime Sponsor: Commissioner Danielle Cohen Higgins, District 8 & Commissioner Kionne L. McGhee, District 3.
Requester: None
Committee Action Date: None

RESEARCH FINDINGS

OCA completed the required background check on “Dennis C. Moss” and noted no adverse findings. OCA determined that there is no prior Board of County Commissioners (BCC) codesignation for “Dennis C. Moss.” As also required by Rule 9.02(f)(1), OCA verified that “Dennis C. Moss” is living. OCA is providing this report as a Supplement to BCC Agenda File Item No. 221345.

ADDITIONAL INFORMATION

1. Bulleted below is the relevant legislation relating to the background research process:
 - [Section 2-1](#) Rule 9.02(f) of the Code 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.
2. In order to vet applicants for County Boards, Trusts, naming, renaming, or codesignation, 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:
 - 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.
 - 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:
July 7, 2022
Research Notes**

**Item No. 5B
File No. 221344**

Research: CB / Reviewer: SC

RESOLUTION CODESIGNATING THAT PORTION OF SW 147TH AVENUE AT ITS INTERSECTION WITH SW 42ND STREET (BIRD ROAD) AS “JUDGE MARIO P. GODERICH BOULEVARD

Prime Sponsor: Commissioner Joe A. Martinez, District 11.

Requester: None

Committee Action Date: None

RESEARCH FINDINGS

OCA completed the required background check on “Judge Mario P. Goderich” and noted no adverse findings. OCA determined that there is no prior Board of County Commissioners (BCC) codesignation for “Judge Mario P. Goderich.” As also required by Rule 9.02(f)(1), OCA verified that “Judge Mario P. Goderich” is deceased. OCA is providing this report as a Supplement to BCC Agenda File Item No. 221344.

ADDITIONAL INFORMATION

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

- [Section 2-1](#) Rule 9.02(f) of the Code 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.

2. In order to vet applicants for County Boards, Trusts, naming, renaming, or codesignation, 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:

- 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.
- 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:
July 7, 2022
Research Notes**

**Item No. 5J
File No. 220980**

Research: CB / Reviewer: SC

ORDINANCE CREATING THE SEBASTIAN ISLES COMMUNITY DEVELOPMENT DISTRICT

Prime Sponsor: None

Requester: Parks, Recreation and Open Spaces

BCC Action Date: 5/17/2022 – Board of County Commissioners Meeting First Reading

RESEARCH FINDINGS

OCA completed the required background research regarding the appointment of K. Karl Albertson, Jr., Jordan C. Bayne, Rebecca Z. Cortes, David A. Tello, and Javier Tavel to the Sebastian Isles Community Development District Board of Supervisors. The research yielded no adverse informational findings for the appointees. This report is being provided as a Supplement to BCC Agenda File Item Number 220980.

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, Trusts, naming, renaming, or codesignation, 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:

- 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.
- 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:
July 7, 2022
Research Notes**

**Item No. 8C1
File No. 221259**

Research: CB / Reviewer: SC

RESOLUTION APPROVING THE APPOINTMENT OF CITY OF MIAMI COMMISSIONER CHRISTINE KING TO THE TOURIST DEVELOPMENT COUNCIL

Prime Sponsor: Commissioner Keon Hardemon, District 3.

Requester: Department of Cultural Affairs

Committee Action Date: 6/7/22 – Airports and Economic Development Committee (AECDC)

RESEARCH FINDINGS

OCA completed the required background research regarding the appointment of City of Miami Commissioner Christine King to the Tourist Development Council. The research yielded no adverse informational findings for the appointee. This report is being provided as a Supplement to BCC Agenda File Item Number 221259.

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, Trusts, naming, renaming, or codesignation, 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:

- 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.
- 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:
July 7, 2022
Research Notes**

**Item No. 8F3
File No. 221147**

Research: VW / Reviewer: SC

RESOLUTION AUTHORIZING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING AWARD OF CONTRACT NO. BW-10218 FOR PURCHASE OF INTRADO VIPER 911 UPGRADE TO INTRADO LIFE & SAFETY SOLUTIONS CORPORATION IN AN AMOUNT NOT TO EXCEED \$3,166,360.00 FOR A FIVE-YEAR TERM FOR THE MIAMI-DADE POLICE DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY RENEWAL, CANCELLATION OR EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38 [SEE AGENDA ITEM NO. 8F4]

Prime Sponsor: None

Requester: Internal Services Department (ISD)

Committee Action: 6/9/22 - Community Safety and Security Committee (CSSC)

RESEARCH FINDINGS

OCA's review of the item found no substantive legislative, procedural or administrative noncompliance. Refer to the Contextual Information and Additional Information sections for more historical and background information on the item.

CONTEXTUAL INFORMATION

On June 17, 2022, OCA inquired with the Miami-Dade Police Department (MDPD) about: (1) the steps the department has taken to ensure that delays do not occur with the implementation of the new system; (2) a breakdown of the Viper 7 platform products and services being requested; (3) a description of the useful life of the products requested; and (4) the settlement agreement reached between the vendor and the County for the implementation of the previous system. (MDPD) response is summarized below.

- ***Avoiding Delays in Implementation:*** Primarily, there is an entirely different project management team within the Miami-Dade Police Department (MDPD) that will be assisting the Information Technology Department (ITD) and Intrado with the implementation of this upgrade. Additionally, several of the product deficiencies that caused the previous attempt to be abandoned were identified by subject matter experts from both MDPD and ITD during the previous attempt, relayed to Intrado, and corrected.
- ***Breakdown of Requested Products and Services:*** ISD is purchasing the hardware and the software to implement and operate the Viper 7 solution; deployment services, maintenance, and warranty, for a five-year period. MDPD's 911Center will also gain the ability to receive text messages. A listing of the hardware and software included was not provided for the department.
- ***Useful Life of Products Requested:*** The state of Florida 911 plan recommends that Customer Premise Equipment (CPE) is replaced every five years to keep pace with evolving technology. The legacy CPE environment is 11 years old and is considered end of life. The current solution continues to function and process over 2,000,000 calls per year. System refreshes are part of the long-range budgeting process, and this expenditure is fully funded by 911 revenues.
- ***Settlement Agreement:*** Regarding the companion item settlement agreement ([221149](#)), to date the County has paid Intrado \$490,771.74 for delivered and accepted equipment and services rendered under the June 25, 2014 agreement. The County and Intrado decided to terminate the 2014 agreement, and for the County to upgrade the current Viper 5.1 solution to Viper version 7.0. Provided the County engages in a new agreement with Intrado by July 29, 2022, Intrado agrees to waive their rights to \$65,000 owed by the County under the 2014 agreement.

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**Item No. 8F3
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Research: VW / Reviewer: SC

ADDITIONAL INFORMATION

OCA examined the financial payment history of the subject vendor. Table 1 below provides a synopsis of the cumulative payments made to the subject vendors for the past seven years (2015-2022) as of June 2022. Note: The payments reflected may not be inclusive of all payments made to date.

Table 1

Vendor Payment History with County (VPI Application/INFORMS)		
Vendor	Date Range	Total Payments
Intrado Life & Safety Solutions Corporation	February 2015 – April 2022	\$1,745,565

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**Item No. 8F5
File No. 220932**

Research: VW / Reviewer: SC

RESOLUTION APPROVING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$3,528,700.00 FOR A TOTAL MODIFIED CONTRACT AWARD OF \$126,435,954.00 FOR CONTRACT NO. SS1245-3/27-2 TO SCHINDLER ELEVATOR CORPORATION FOR THE PURCHASE OF ELEVATOR AND ESCALATOR MAINTENANCE AND REPAIR SERVICES FOR MULTIPLE COUNTY DEPARTMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWALS OR EXTENSIONS, PURSUANT TO COUNTY CODE SECTION 2-8.1 AND IMPLEMENTING ORDER 3-38

Prime Sponsor: None

Requester: Internal Services Department (ISD)

Committee Action: 6/9/22 - County Infrastructure, Operations and Innovations Committee (CIOIC)

RESEARCH FINDINGS

OCA's review of the item yielded the findings enumerated below. Refer to the Contextual Information and Additional Information sections for further information.

1. The Miami-Dade County Office of Elevator Safety has regulatory authority having jurisdiction over all elevators, escalators, moving walks and other conveying systems located within buildings throughout Miami-Dade County in all municipalities, except the city of Miami and city of Miami Beach¹. As of June 29, 2022, ISD has failed to provide a list of all elevators County-wide that have been modernized or upgraded over the past 5 years along with a list of elevators with upcoming modernization/upgrade needs which OCA requested on June 17, 2022.

CONTEXTUAL INFORMATION

Bulleted below is contextual and background research relevant to this item:

- The following bullets summarize the discussion during the May 8 and September 18, 2007, BCC meetings for Resolution No. [R-1028-07](#):
 - **Former Commissioner Gimenez:** Commissioner Gimenez expressed concern regarding the cost per elevator (\$175,000) and noted he would not be supportive of the foregoing proposed resolution. Commissioner Gimenez asked the Procurement Management Department Director to provide the members of the Commission with a report outlining the cost of maintenance and repair services of elevators and escalators in private buildings. Concerning Commissioner Gimenez's question regarding what the County would owe to Schindler if the contract was terminated, the Facilities Management Director noted that the County would owe Schindler \$3 million based on the \$17 million allocated for preventive maintenance and repairs.
 - **Commissioner Diaz:** General Services Administration (GSA) Director noted that negotiations conducted by GSA and Department of Procurement Management staff resulted in an approximate \$5 million price reduction and a \$13.4 million long-term discount for regular maintenance services to be collected by the County over a 20-year contract, should the County exercise all options-to-renew. Commissioner Diaz noted that the Board was locked into this contract for 20 years. He stated that he felt the savings were not adequate to the contributions.
 - **Commissioner Martinez:** Commissioner Martinez noted that numerous complaints came from the public regarding the elevators and escalators. He questioned why Schindler was recommended as a sole source to restore equipment despite their failure to maintain it. Given that Schindler maintained and serviced the

¹ Miami-Dade County Elevator Safety & Regulations
<https://www.miamidade.gov/global/business/facilitiesandfueling/elevator-safety.page>

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Research: VW / Reviewer: SC

elevators and escalators at Metrorail stations, Commissioner Martinez expressed concerns regarding the use of \$17.6 million in Surtax funds allocated to Miami-Dade Transit for elevator maintenance under the contract while service routes were being cut.

- **Commissioner Sosa:** Commissioner Sosa requested that the GSA Director provide members of the Commission with a quarterly status report on the vendor's performance under the terms of the existing contract, as recommended by the Assistant County Attorney. She asked that this report include complaints received from the public and a monitor component.
- On June 17, 2022, OCA inquired with the Internal Services Department (ISD) about: (1) the estimated annual maintenance cost per elevator serviced under the current contract; (2) a list of the elevators serviced under the current contract along with their useful life; (3) whether the department considered the feasibility of moving towards a competitive instead of sole source contract after the expiration of the current contract; (4) a breakdown of the indices used to calculate the price increases for the contract over time; (5) the justification for additional expenditures; and (6) a list of all elevators County-wide that have been modernized or upgraded over the past 5 years and a list of elevators with upcoming modernization/upgrade needs. ISD's response is summarized below.
 - **Estimated Annual Maintenance Cost:** The average cost per elevator under the contract ranges from \$361.03 to \$2,563.64 per elevator per month (\$4,332.36 to \$30,763.68 annually). Prices vary for escalators, moving walkways, and other types of equipment.
 - **Elevators Serviced Under Contract:** According to the department, information regarding useful life will need to be collected from the various departments and will take time to compile. ISD provided an award price sheet that includes all elevators serviced under the current contract. Table 1 below provides a breakdown by department of all elevators serviced under the current contract SS1245-3/27.

Table 1

Department/Entity	Elevator and Escalator Units	Total Annual Maintenance Cost (Labor and Material)
Aviation	131	\$1,469,748
Corrections and Rehabilitation	10	\$168,792
Internal Services	29	\$589,416
Transportation and Public Works	115	\$2,905,824
Seaport	60	\$728,256
Parks and Recreation	2	\$10,968
Adrienne Arsht Center Performing Arts	21	\$119,484
Water and Sewer	1	\$5,484
Cultural Affairs	1	\$5,484
Public Housing and Community Development	1	\$4,332
Jackson Memorial Hospital	25	\$466,680
Jackson South Community Hospital	4	\$48,000

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- **Price Indices:** According to *Contract No. SS1245-3/27* the annual price adjustment is computed as the weighted average of the material component, computed as the year-to-year increase or decrease in the latest available *Producer Price Index – Industry Data for Elevator and Moving Stairway Manufacturing* published by the Bureau of Labor Statistics; and the labor component, computed as the year-to-year increase or decrease in the labor rate published by the Elevator Contractors of America, Inc. The initial target weighting of the material component shall be 15% of the total annual adjustment and the labor component shall be 85% of the total annual adjustment.
- **Additional Expenditure Justification:** At the time of this publication, the final response was not received from the department.
- **List of Elevators Modernized Countywide:** At the time of this publication, the final response was not received from the department.

ADDITIONAL INFORMATION

Bulleted below is additional research relevant to this item:

- **Payment History:** OCA examined the financial payment history of the subject vendor. Table 2 below provides a synopsis of the cumulative payments made to the subject vendor for the past four years (2018-2022) as of June 2022. Note: The payments reflected may not be inclusive of all payments made to date and are not exclusive of payments under *Contract No. SS1245-3/27*.

Table 2

Vendor Payment History with County (VPI Application/INFORMS)		
Vendor	Date Range	Total Payments
Schindler Elevator Corporation	October 2014 – June 2022	\$39,445,377

- **Settlement Agreement:** On July 19, 2016 the Board approved Resolution No. [R-725-16](#) approving terms of a settlement agreement between the County and Schindler Elevator Corporation in the amount of \$680,942 to be paid to Schindler Elevator Corporation.
- **Due Diligence:** OCA conducted due diligence via Westlaw of the vendor under the contract. Bulleted below is a summary of legal complaints filed against the vendor.
 - *Mosley v. Schindler Elevator Corporation* – the vendor is a co-defendant in a negligence lawsuit (Case No. 2022-CA-002545) filed in the Fourth Judicial Circuit, Duval County on May 6, 2022. According to the complaint, the defendant failed to maintain the elevator in a safe condition, causing plaintiff to sustain injuries when the elevator door suddenly closed on the right side of his body. The last docket activity as of May 9, 2022 is the demand for a jury trial.
 - *Wert v. Schindler Elevator Corporation et al* – the vendor is a co-defendant in a negligence lawsuit (Case No. 2021-016963-CA-01) filed in the 11th Judicial Circuit, Miami-Dade County on July 10, 2021. According to the complaint, the defendants negligently maintained their premises and failed to warn about the dangerous

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File No. 220932**

Research: VW / Reviewer: SC

condition causing plaintiff's foot to get caught under the escalator's floor plate teeth resulting in injuries. The most recent docket activity is an FWOP hearing scheduled for August 19, 2022.²

- *Santiago, et al v. Sawgrass Mills Phase III Limited Partnership, et al* – the vendor is a co-defendant in a negligence lawsuit (CACE19022446) filed in the 17th Judicial Circuit, Broward County on October 29, 2019. According to the complaint the defendant failed to maintain the elevator in the premises in a safe condition that caused plaintiff to fall when the elevator doors suddenly closed resulted in injuries. The last docket activity as of December 24, 2019 is the filing of an Answer and Affirmative Defense to a Cross-Claim.

² A For Want of Prosecution (FWOP) hearing occurs when there has not been any activity in a case for a set period of time. In this case, there was no docket activity for over 10 months.

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Research Notes**

**Item No. 8F7
File No. 221144**

Research: SR / Reviewer: SC

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01762 TO INTERCONN RESOURCES, LLC FOR SUPPLY OF NATURAL GAS FOR THE MIAMI-DADE WATER AND SEWER DEPARTMENT AND DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS WITH AN AMOUNT NOT TO EXCEED \$54,652,610.00 FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD TO INTERCONN RESOURCES, LLC, ISSUE THE APPROPRIATE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION OR EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

Prime Sponsor: None

Requester: Internal Services Department (ISD)

Committee Action: 6/9/2022 – County Infrastructure, Operations and Innovations Committee (CIOIC)

RESEARCH FINDINGS

OCA's review of the item found no substantive legislative, procedural or administrative non-compliance. Refer to the Contextual Information, Financial Analysis, and Additional Information sections for the item's historical and other background information.

CONTEXTUAL INFORMATION

Bulleted below is contextual and background research relevant to this item:

- **Current Natural Gas Contract:** Regarding the current natural gas contract, Contract No. 5731-1/22, and the option to renew (OTR) term, which was awarded to supply natural gas to the Water and Sewer Department (WASD), WASD transferred \$750k to the Department of Transportation and Public Works (DTPW) to allow DTPW to access the contract during the OTR term on July 23, 2021.³
- **Current Contractor:** The contract was awarded to Peninsula Energy Services Company Inc (PESCO) however Gas South LLC acquired the Florida accounts of PESCO on October 16, 2019,⁴ and the contract was officially transferred to Gas South LLC on March 26, 2020.⁵
- **Natural Gas Rates:** Gas South LLC bid on the replacement contract, Solicitation No. FB-01762, at a slightly lower rate than Interconn⁶ but their bid was deemed non-responsive by the County Attorney's Office (CAO) for taking exception to the solicitation's requirement of a firm fixed service adder price. However, Interconn's negotiated rate of \$0.74 per Therm is lower than the current natural gas contract rate of .078.

On June 17, 2022, OCA inquired with ISD regarding whether DTPW had an existing contract to supply natural gas for the Northeast Bus Depot, and the difference between natural gas and compressed natural gas. The responses are summarized below.

- **Other Contracts for Natural Gas:** In 2019, the BCC approved Resolution No. [R-1319-19](#) providing for a 13-year contract with Peoples Gas System to install a natural gas pipeline and gas meters for DTPW's Northeast Bus Depot. The contract includes a usage fee for the pipeline but provides that the County may procure natural gas from an independent gas supplier (such as Interconn). DTPW is choosing to join WASD's replacement contract for the purchase of natural gas from Interconn as the gas is less expensive than purchasing from Peoples Gas System.

³ Roadmap 5731-1/22-1 Supply of Natural Gas, [Microsoft Word - ROADMAP 7-23-21 \(miamidade.gov\)](#)

⁴ October 16, 2019, Gas South Acquisition letter.

⁵ Roadmap 5731-1/22-1 Supply of Natural Gas, [Microsoft Word - ROADMAP 7-23-21 \(miamidade.gov\)](#)

⁶ Interconn's bid was at .074 per Therm, with Gas South's bid at .0724 per Therm.

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File No. 221144**

Research: SR / Reviewer: SC

- **Natural Gas Uses:** The natural gas used by WASD and the CNG used to fuel the Northeast Bus Depot's buses are identical other than the delivery pressure varying based on WASD and DTPW's respective requirements and varying energy content depending on the delivery points. Natural gas is converted to CNG at the Northeast Bus Depot's fueling station to be used by DTPW's CNG buses. Refer to the Additional Information section for more background information on the County's history with natural gas.

FINANCIAL ANALYSIS

Per the mayoral memorandum the allocation under the replacement contract is higher than the combined annualized allocation of the current contract due to an increase in the estimated annual usage because of:

1. The addition of DTPW to the contract; and
2. An additional gas pump for WASD.

Accordingly, OCA examined the allocation for the current contract, *5731-1/22-1*, and the replacement contract presented under this item, *FB-01762*. Table 1 below provides the annualized allocation under each contract. OCA's analysis confirms that the annualized allocation under this item is 18.6% higher than the current contract.

Table 1

Contract Allocation Analysis (e-Procurement)				
Contract No.	Contract Title	Contract Length	Total Allocation	Annualized Allocation
5731-1/22-1	Natural Gas	10 Years and 3 months	\$94,482,000	\$9,217,756
FB-01762, with 1 Option to Renew	Natural Gas	5 Years	\$54,652,610	\$10,930,522
Increased Annualized Allocation				\$1,712,766

OCA also examined allocation utilization under the current contract, *Contract No. 5731-1/22*, and the one, 5-year option to renew. Although there is a significant portion within the remaining balance of the OTR term, ISD noted that WASD is waiting for several invoices from the vendor that will decrease the remaining balance. ISD also provided the following justification for the allocation requested under this item:

- WASD's current allocation for the Supply of Natural Gas Contract (2012-2022) was based on historical pricing in the period from 2006-2011. During this period natural gas experienced a significant increase and a corresponding impact to WASD expenditures (over \$10 million per year). However, in the past 10 years, pricing has been depressed, and therefore WASD only spent less than the anticipated allocation. Given recent global events the price of this commodity is at its highest point since 2008 and there is no certainty as to when or if pricing will alleviate. As such, WASD's allocation of \$48.5 M for a 5-year term is consistent with WASD's anticipated need in an uncertain market.

Table 2 below provides a synopsis of the contract allocation and usage (released amount) for the noted contracts as of June 2022. OCA was not able to determine the amount DTPW spent from their allocation of \$750,000 because DTPW has not issued purchase orders under the contract; instead, payment is issued as a direct pay under utilities according to the correspondence received from ISD.

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Research: SR / Reviewer: SC

Table 2

Previous and Current Contract Allocation History (e-Procurement/INFORMS)					
Contract No.	Contract Title	Contract Term	Allocation Amount	Released Amount	Remaining Balance
5731-1/22	Natural Gas	06/01/2012 - 11/30/2017	\$46,182,000	\$19,450,000	\$26,732,000
5731-1/22-1	Natural Gas	05/01/2017 - 07/31/2022	\$48,300,000	\$26,950,000	\$21,350,000
Total Remaining Balance					\$48,082,000

ADDITIONAL INFORMATION

Bulleted below is additional research relevant to this item:

- ***County's History of Natural Gas Agreements:*** The County's history with natural gas technology began in the late 1990s when Resolution No. [R-109-97](#) approved an agreement between the Department of Transportation and Public Works (then Miami Dade Transit Authority) and North Miami allowing the County to fuel CNG buses at a North Miami facility. CNG fueling stations process and compress natural gas to turn it into CNG which is used to power CNG buses. In 2008 and 2013, Resolution Nos. [R-1372-08](#) and [R-601-13](#) respectively, directed the County Mayor to conduct studies on the feasibility of using CNG vehicles in the county fleet and ultimately Resolution No. [R-388-15](#) authorized the purchase of CNG truck tractors in 2014 and 2015.
- ***CNG Program Established:*** In 2017, Resolution No. [R-35-17](#) established a DTPW CNG Program which included the purchase of 300 CNG buses and the creation of County CNG fueling stations. In 2019, Resolution No. [R-1316-19](#) approved the creation of a CNG fueling and maintenance facility at the Northeast Bus Depot, with a projected completion date of September 2021. Additional background information on the County's history with CNG is available in OCA's 2020 analysis of Energy Alternatives Powering Heavy Fleet.⁷

⁷ OCA 2020 Analysis of Energy Alternatives Powering Heavy Fleet, [2020-analysis-of-energy-report.pdf](#)

**BCC Meeting:
July 7, 2022
Research Notes**

**Item No. 8L5
File No. 220851**

Research: CB / Reviewer: SC

RESOLUTION APPOINTING MARK PHILCOX TO THE AGRICULTURAL PRACTICES ADVISORY BOARD

Prime Sponsor: County Infrastructure and Innovations Committee

Requester: Regulatory and Economic Resources

Committee Action Date: 6/9/22 – County Infrastructure and Innovations Committee

RESEARCH FINDINGS

OCA completed the required background research regarding the appointment of Mark Philcox to the Agricultural Practices Advisory Board. The research yielded no adverse informational findings for the appointee. This report is being provided as a Supplement to BCC Agenda File Item Number 220851.

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, Trusts, naming, renaming, or codesignation, 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:

- 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.
- 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:
July 7th, 2022
Research Notes**

**Item No. 8N8
File No. 221157**

Researchers: PAR, LC, GS & DP / Reviewers: SC & SS

RESOLUTION APPROVING CONTRACT AWARD OF THREE PROFESSIONAL SERVICES AGREEMENTS BETWEEN MIAMI-DADE COUNTY AND BCC ENGINEERING, LLC, EAC CONSULTING, INC., AND WSP USA, INC., TO PROVIDE PROFESSIONAL SERVICES FOR BRIDGE STRUCTURAL ENGINEERING PROJECTS, ISD PROJECT NO. E20-DTPW-02; CONTRACT NO. CIP240-DTPW20-DE (1-3), IN AN AMOUNT NOT TO EXCEED \$3,300,000.00 PER AGREEMENT, INCLUSIVE OF A CONTINGENCY ALLOWANCE OF \$300,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENTS AND EXERCISE ALL PROVISIONS CONTAINED THEREIN ON BEHALF OF MIAMI-DADE COUNTY

Prime Sponsor: None

Requester: Internal Services

Committee Action: 6/7/2022 – Transportation, Mobility and Planning Committee (TMPC)

RESEARCH FINDINGS

OCA's review of the item yielded the findings enumerated below. Refer to the Contextual Information and Additional Information sections for more historical and background information on the item.

- ***In-house Capabilities:*** Pursuant to Resolution No. [R-1204-05](#), the Administration should evaluate in-house capabilities before contracting the services of outside consultants. Per OCA's May 31, 2022 table *Miami-Dade County-Wide Professional Job Categories by Department*, DTPW had 133 engineer positions, of which 19 professional personnel held an engineer license. It is unclear how many departmental staff currently have the expertise to carry out the scope of services under the three proposed Professional Services Agreements (PSAs). Refer to **Attachment 1(a)** to review the *Miami-Dade County-wide Professional Job Categories by Department*, OCA's data compilation from the *PeopleSoft HR 9.1 PeopleBook: Manage Positions* application.

CONTEXTUAL INFORMATION

OCA inquired with DTPW on June 17, 2022, about the following: the selection process of the qualified firms, whether DTPW will follow a policy to distribute the work assignments among the three selected firms, the anticipated completion date of the 38 projects listed on Exhibit 2 of the mayoral memorandum (Exhibit 2), the listed projects' budgeted professional and construction costs, whether DTPW reviewed in-house capabilities, and whether an external engineer requirement exists by law. DTPW's response is summarized below.

- ***Increasing Engineering Costs for Bridge Repairs and Replacements:*** The \$3,300,000 requested for each PSA may not be enough to complete all 38 bridge design projects listed in Exhibit 2 due to rising engineering cost such as escalating engineering salaries caused by changing market conditions and the additional costs imposed on projects funded with federal dollars to conduct planning studies and meet environmental permitting requirements. Because DTPW has seen price escalations during the last six months, budgets in Miami-Dade County's Long Range Transportation Plan (LRTP), Transportation Improvement Program (TIP), and Capital Improvement Program (CIP) may not be sufficient as currently budgeted, which will lead to DTPW adding projects to the LRTP unfunded list.
 - On June 28, 2020, OCA followed up on DTPW's response above. When asked how DTPW plans to address the funding shortfall for bridge projects listed in Exhibit 2 once the \$3,300,000 for each PSA is exhausted before all 38 projects can be completed, DTPW responded by outlining their efforts to address rising engineering salaries that are increasingly cutting into engineering project budgets. The department indicated that it would continue to evaluate priorities, monitor the conditions of the listed bridges, and assess available funds and future financing based on available funding sources, such as Road Impact Fees. The department's strategy will be to leverage enacted funds to perform the necessary environmental, permitting and design work for as many bridges as possible to ready projects for state and federal grant

**BCC Meeting:
July 7th, 2022
Research Notes**

**Item No. 8N8
File No. 221157**

Researchers: PAR, LC, GS & DP / Reviewers: SC & SS

request submissions, legislative budget requests for the bridge program, and Florida Department of Transportation (FDOT) funding opportunities.

- ***Distribution of Projects:*** According to DTPW, there is no official policy for distributing projects among PSAs. DTPW will work to allocate and assign the 38 bridge projects listed on Exhibit 2 evenly, taking into account each firm's expertise and personnel capacity to take on projects throughout the term of the PSAs.
- ***Timeframe for Repairs and Replacement:*** The bridges listed in Exhibit 2 were identified through FDOT certified bridge inspections requiring repairs or replacement within a 5-to-10-year timeframe. This timeframe is considered the most cost-effective for repairing or replacing aging bridges.
- ***DTPW's Review of In-House Staff Capabilities:*** DTPW's *Division 07, Highway Bridge Engineering*, is a three-person team consisting of one manager and two project managers that is overseeing twenty-four projects currently under design, including the 17th Avenue Bascule Bridge Study, Bear Cut Bridge Study, and Venetian Causeway Bridge Replacements. The projects listed in Exhibit 2 are complex and require multiple disciplines to coordinate and complete each bridge design project. DTPW would need more skilled in-house staff to provide the services requested in the PSAs, such as AutoCAD drafting, structural design, bridge design, roadway design, drainage design, maintenance of traffic design, signing and pavement marking design, environmental studies and reporting, permit agency coordination, detailed utility coordination, and in-depth public involvement. Though the department has staff with some ability in each listed discipline, their respective division workloads would prevent them from taking up added work for DTPW. Additionally, DTPW is unaware if the County's in-house capabilities can perform the division's geotechnical investigation, engineering, and foundation designs.
- ***FDOT Professional Consultant Requirements:*** No law requires the use of external engineers on bridge design projects. However, FDOT requires all engineering firms to be prequalified under strict qualification requirements in order to respond to FDOT solicitations for professional consultants.⁸ The County applies the FDOT requirement to ensure all firms have the experience to ensure safety is prioritized in all bridge designs.

ADDITIONAL INFORMATION

Bulleted below is additional research relevant to this item:

- ***Financial Payment History:*** OCA examined the financial payment history of the subject consultants. Table 1 below provides a synopsis of the cumulative payments made to the subject consultants for the past six years (2003-2015) as of June 2022. Note: The payments reflected may not be inclusive of all payments made to date.

Table 1

Vendor Payment History with the County (VPI Applications/INFORMS)		
Vendor	Date Range	Total Payments
BCC Engineering, LLC	December 2015 - April 2022	\$779,403
EAC Consulting, Inc.	January 2018 - June 2022	\$4,742,792
WSP USA, Inc.*	May 2016 - June 2022	\$14,354,981

*Note: * WSP USA, Inc., formally known as Parsons Brinckerhoff, Inc. before 2017*

⁸ [Florida Administrative Code and Florida Administrative Register, Rule Chapter 14-75: Qualification, Selection and Performance Evaluation Requirements for Professional Consultants to Perform Work for DOT](#)

**BCC Meeting:
July 7th, 2022
Research Notes**

**Item No. 8N8
File No. 221157**

Researchers: PAR, LC, GS & DP / Reviewers: SC & SS

- ***Equitable Distribution Program:*** According to the mayoral memorandum, DTPW does not have Bridge Engineering Continuous Professional Services Agreements currently in place and uses the [Equitable Distribution Program](#) (EDP) to obtain the needed professional services. The County's EDP participation thresholds are established through [Florida Statute 287.055](#), which in 2020 was updated to increase the "continuous contract" thresholds for projects in which the estimated construction cost of each individual project under the contract does not exceed \$5 million (previously \$2 million) and for professional services for each individual study under the contract does not exceed \$500,000 (previously \$200,000).

Although the County's [EDP website](#) does not reflect the most recent changes to [FS 287.055](#). According to the Small Business Development division (SBD), the County is in the process of updating [Administrative Order AO 3-39](#) (2003) which establishes the County's EDP, to reflect changes to administrative procedures and replace language referencing offices that no longer exist that once provided oversight of the EDP. Currently, ISD oversees the acquisition of professional services for the EDP, divided between SBD and the Strategic Procurement Division (SPD).

Attachment 1(a)

MIAMI-DADE COUNTY-WIDE PROFESSIONAL JOB CATEGORIES BY DEPARTMENT UNDER THE MAYOR'S PURVIEW

DEPARTMENT NAME	ACCOUNTING & FINANCE	ARCHITECT	AUDITOR	CONSTRUCTION	ENGINEER	INFORMATION TECHNOLOGY	LEGAL	PLANNER	PROJECT MANAGER	SPECIAL PROJECTS ADMINISTRATOR	Grand Total
Animal Services	5									2	7
Audit & Management Services			18								18
Aviation	35	13		29	15	45	1	3	2	21	164
Communications Department	2					18				4	24
Community Action & Human Svc	24			4			9			11	48
Corrections & Rehabilitation	3			3			2			6	14
Cultural Affairs	8								19		27
Elections	3					8				1	12
Finance	114					10	1			7	132
Fire Rescue	19	1		6	1	26	1	9		5	68
Human Resources	5					18					23
Information Technology Dept	12					638				3	653
Internal Services	25	3		5	1	7			18	10	69
Juvenile Services	2					1	2				5
Libraries	3			2							5
Management & Budget	50					20				12	82
Medical Examiner	2					3					5
Parks, Recreation, and OS	29	8		48	7	5		10		24	131
Police	27			4		1	12			5	49
Public Housing & Community Dev	27			10	1			5	13	8	64
Regulatory & Economic Resource	20			6	126	3	3	24		13	195
Seaport	15	8		18	14					9	64
Solid Waste Management	18			3	5	1				12	39
Transportation & Public Works	35		1	139	133	5		12		30	355
Water & Sewer	91	3		37	98	16	1	9		19	274
Grand Total	574	36	19	314	401	825	32	72	52	202	2,527

Source: OCA data compilation via Peoplesoft HR 9.1 PeopleBook: Manage Positions application as of May 31, 2022. Note: The listed job categories are based on specific educational and skill requirements attributed to selected position classifications under mayoral purview. This report does not include every position in Miami-Dade County.

**BCC Meeting:
July 7, 2022
Research Notes**

**Item No. 802
File No. 221250**

Research: PAR / Reviewer: SC

RESOLUTION AWARDDING A CONTRACT (CONTRACT S-980) TO COMTECH ENGINEERING INC. WITH A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$5,396,975.40 AND A TOTAL CONTRACT TERM OF 310 DAYS PLUS A 31-DAY CONTINGENCY PERIOD FOR THE SOUTHERN DISTRICT WASTEWATER TREATMENT PLANT ONSITE SODIUM HYPOCHLORITE GENERATION TANK NO. 2 REPAIRS PROJECT; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO UTILIZE MIAMI-DADE WATER AND SEWER DEPARTMENT'S CONSENT DECREE AND CAPITAL IMPROVEMENT PROGRAMS ACCELERATION ORDINANCE, SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY, TO MANAGE CONTRACT S-980; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SAME AND TO EXERCISE THE TERMINATION AND OTHER PROVISIONS CONTAINED THEREIN

Prime Sponsor: None

Requester: Water and Sewer Department (WASD)

Committee Action: 6/7/2022 – County Infrastructure, Operations and Innovations Committee (CIOIC)

RESEARCH FINDINGS

OCA's review of the item found no substantive legislative, procedural or administrative non-compliance. Refer to the Contextual Information, Financial Analysis, and Additional Information sections for the item's historical and other background information.

CONTEXTUAL INFORMATION

Bulleted below is contextual and background research relevant to this item:

- ***Tank No. 2 Leaks and Settlement Agreements:*** The engineering firm Hazen and Sawyer, P.C. (Hazen), was awarded the Professional Services Agreement (PSA) to design the Southern District Wastewater Treatment Plant (SDWTP) Onsite Sodium Hypochlorite Generation (OSHG) facility under amended Resolution No. [R-1315-06](#) for a total sum of \$39,760,000, and, Skanska USA Building, Inc. and Skanska USA Civil Southeast, Inc. (collectively Skanska), was awarded the construction contract to build the OSHG facility under [R-850-09 in the amount of \\$24,944,441](#). In March 2012, Skanska installed the PVC liners for the hypochlorite tanks. By June 2012, the tanks began leaking at various locations. On August 18, 2014, Skanska unsuccessfully concluded its attempts to fix the leaks under the warranty provisions of the agreement and agreed to toll the statute of limitations until December 2016.

The County discovered additional leaks in November 2016. In December 2016, the County filed a lawsuit against Skanska and its surety Travelers Causality and Surety Company of America for breach of contract. Skanska brought a counterclaim against the County and contended that the various leaks were caused by the defective design provided by Hazen. As a result, according to Resolution No. [R-1149-19](#) the Board approved the terms of the Skanska Settlement Agreement of \$400,000 and the Hazen Settlement Agreement of \$700,000. Approval of Resolution No. [R-1149-19](#) would also allow WASD to use the funds to effectuate the needed repairs to Tank No. 2.

- ***OCA Inquiry:*** On June 17, 2022, OCA inquired with WASD on the planning and procurement process to repair Tank No. 2 since the approval of the settlement agreements, warranties negotiated with Comtech, and what studies have been conducted concerning repairs to the other two tanks. WASD's response is summarized below.
 - ***Solicitation Process:*** WASD advertised the solicitation twice, receiving no bids during the October 20, 2021 advertisement under the MCC 7040 Plan, a set-aside procurement solely for Small Business Enterprise (SBE) firms. On 2/22/2022, WASD advertised the solicitation a second time under the MCC 7360 Plan and received a single bid from Comtech Engineering, Inc. The MCC 7360 Plan is an alternative procurement instrument when a 100% SBE goal isn't first attainable under the MCC 7040 Plan.

**BCC Meeting:
July 7, 2022
Research Notes**

**Item No. 802
File No. 221250**

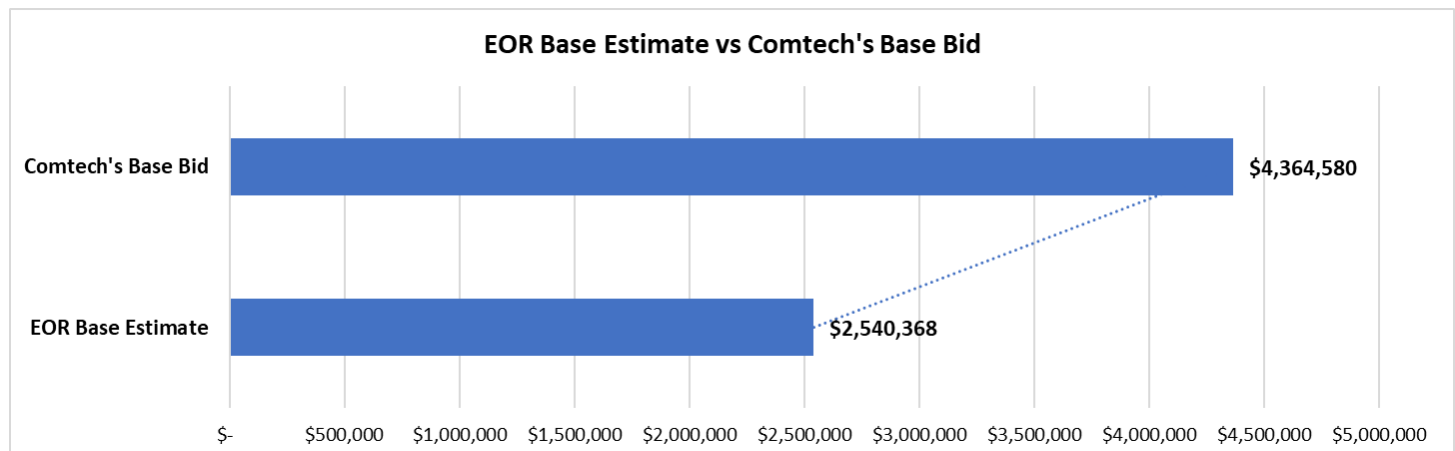
Research: PAR / Reviewer: SC

- **Negotiated Warranties:** Under the negotiated contract, the contractor is responsible for extending all manufacturer warranties at least one year beyond the date of final project acceptance. The contractor shall also be required to correct any portion of the work during a one-year correction period. WASD did not request performance references as part of its solicitation, though Comtech has 57 evaluations recorded in the [Miami-Dade County Capital Improvements Information System \(CIIS\)](#) with an average score of 3.5 out of 4.0.
- **Scope of Work:** WASD provided an outline of the Scope of Work for this project (see **Attachment 1(b)** below).
- **Tank No. 1 and 3 Future Repairs:** WASD will repair the two remaining tanks individually after the completion of S-980 to minimize the impact on the facility's capacity or operations.

FINANCIAL ANALYSIS

OCA verified that the base bid of \$4,364,580 is approximately 71.8% above the EOR's base estimate of \$2,540,368. Chart 1 below compares the Engineer on Record's (EOR) base estimate vs Comtech's base bid:

Chart 1



Note: Based on OCA's analysis, line item three of the Base Price Schedule has the largest difference at 544.48% above the EOR's base estimate with an increase of \$1,596,742.

ADDITIONAL INFORMATION

OCA examined the financial payment history of the subject vendor. Table 1 below provides a synopsis of the cumulative payments made to the subject vendor for the past twelve years (2003-2015) as of June 2022. Note: The payments reflected may not be inclusive of all payments made to date.

Table 1

Vendor Payment History with the County (VPI Applications/INFORMS)		
Vendor	Date Range	Total Payments
Comtech Engineering, Inc.	6/2003 – 12/2015	\$2,702,966

ATTACHMENT 1(b)
S-980 SCOPE OF WORK

The project consists of furnishing all materials, labor, and equipment necessary to complete the following work as shown in the Drawings and Specifications:

1. Demolition and bypass of existing sodium hypochlorite piping located on the South side of Sodium Hypochlorite Day Tank No. 2 located on the 1st floor.
2. Demolition and bypass of suction and discharge piping associated with NaOCl Feed Pumps No. 2 thru No. 7.
3. Demolition and bypass of the NaOCl Dilution/Transfer suction and discharge piping.
4. Demolition and bypass of the potable water pipeline.
5. Demolition of existing pipe supports.
6. Demolition and bypass of electrical conduit and wiring.
7. Salvage and reinstallation of the flow meter, instrumentation and flanged/screwed valving.
8. Demolition and bypass of sodium hypochlorite piping located on the South side of the Sodium Hypochlorite Day Tank No. 2 located on the 2nd floor.
9. Demolition and bypass of the NaOCl discharge piping.
10. Demolition of existing pipe supports.
11. Demolition and bypass of electrical conduit and wiring.
12. Salvage and reinstallation of the instrumentation and flanged/screwed valving.
13. Demolition of sodium hypochlorite piping located on the North side of the Sodium Hypochlorite Day Tank No. 2 located on the building exterior.
14. Repair and rehab of Sodium Hypochlorite Day Tank No. 2 exterior and interior
15. Removal of existing interior/exterior coating.
16. Partial demolition of selected concrete surfaces of the tank interior and exterior.
17. Repair of all demolished concrete surfaces.
18. Application of new coating system and installation of new tank liner.
19. Reinstallation of sodium hypochlorite piping back into its permanent location on the Sodium Hypochlorite Day Tank No. 2 as shown on the As-Builts.
20. Reinstallation of salvaged flow meter, instrumentation and flanged/screwed valving.
21. Reinstallation of Hydrogen Dilution Blowers No. 3 and No. 4.
22. Installation of new pipe supports, as shown on the Drawings.
23. Miscellaneous Items:
24. Relocation of NAOCl Day Tank No. 2 leak detection sensor.

The project includes, but is not limited to, making all necessary demolition, repair/rehab and modification work; furnishing and installing all electrical and control equipment associated with mechanical work including electrical controls and associated conduit, wiring, and switches; the repair, patch and finish to match existing; coordinating the structural, mechanical and electrical work with the other trades involved; and all other appurtenant and miscellaneous items and work for a complete, satisfactory and functional installation of the project located on South District Wastewater Treatment Plant at 23300 SW 88 Ave, Miami, Florida, 33190.

**BCC Meeting:
July 7, 2022
Research Notes**

**Item No. 15C1
File No. 221399**

Research: CB / Reviewer: SC

APPOINTMENT OF RAYMOND J. SCHNELL, PH.D. AND WILLIAM SHELLEY, P.E. TO THE ENVIRONMENTAL QUALITY CONTROL BOARD (EQCB)

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

RESEARCH FINDINGS

OCA completed the required background research regarding the appointment of Raymond J. Schnell, Ph.D. and William Shelley, P.E. to the Environmental Quality Control Board (EQCB). The research yielded no adverse informational findings for these appointees. This report is being provided as a supplement to bcc agenda file item number 221399.

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, Trusts, naming, renaming, or codesignation, 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:
 - 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.
 - 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:
July 7, 2022
Research Notes**

**Item No. 15C2
File No. 221499**

Research: CB / Reviewer: SC

APPOINTMENT TO THE PLANNING ADVISORY BOARD (PAB) – STEVEN (MAX) LOSNER

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

RESEARCH FINDINGS

OCA completed the required background research regarding the appointment of Steven (Max) Losner to the Planning Advisory Board (PAB). The research yielded no adverse informational findings for these appointees. This report is being provided as a supplement to BCC agenda file item number 221499.

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, Trusts, naming, renaming, or codesignation, 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:
 - 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.
 - 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:
July 7, 2022
Research Notes**

**Item No. 15D1
File No. 221348**

Research: CB / Reviewer: SC

BALLOT APPOINTMENT OF MEMBERS TO THE LAND ACQUISITION SELECTION COMMITTEE

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

RESEARCH FINDINGS

OCA completed the required background research regarding the appointment of Dr. George E. Fitzpatrick, Dr. Stephen E. Davis, III, Eduardo Varona and Daniel Valle to serve as members of the Land Acquisition Selection Committee and found the following:

- *Daniel Valle: Notice of Judgement for \$13,688.06 to Bank of America, signed on June 30, 2021; no Certificate of Release found.*

Other than the information noted above, OCA's background research did not yield any other adverse informational findings regarding the appointee. This report is being provided as a Supplement to BCC Agenda File Item Number 221348.

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, Trusts, naming, renaming, or codesignation, 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:
 - 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.
 - 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.

REFERENCES

^aMiami-Dade County, Vendor Payment Inquiry Application (VPI Application).
https://w85exp.miamidade.gov/VInvoice/1_0a_vendor_login.jsp

^bMiami-Dade County, Integrated Financial Resources Management System (INFORMS), the new Enterprise Resource Planning system launched to modernize and streamline budget, procurement, human resources, and financial operations (Rollout 1 launch date April 2021 and Rollout 2 launch date June 2022).
<https://informs.miamidade.gov/>

^cMiami-Dade County, e-Procurement (also known as the Bid Tracking System),
<https://s0145200.miamidade.gov/eProcurement/Login.aspx>

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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).