



OFFICE OF THE COMMISSION AUDITOR

COMMISSION AUDITOR'S INFORMATIONAL RESEARCH

BOARD OF COUNTY COMMISSIONERS MEETING

July 06, 2023

9:30 A.M.

Commission Chambers

Yinka Majekodunmi, CPA

Commission Auditor

Office of the Commission Auditor (OCA)

111 N.W. First Street, Suite 1030

Miami, FL 33128

(305) 375-2524

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Resolution Approving, Pursuant to Section 125.38, Florida Statutes, the Terms of and Authorizing Execution by the County Mayor or the County Mayor's Designee of a Lease Agreement ("Lease") Between Ashley V. Gantt, State of Florida Representative, as Tenant, and Miami-Dade County, as Landlord, for the Premises at Joseph Caleb Community Center Located at 5400 NW 22 Avenue, Suite 101, to be Utilized by the Tenant as a District Administrative Office for District 109; for an Initial Term Commencing Upon Lease Execution and Expiring on November 5, 2024 and Three Additional two Year Options to Renew, with a Positive Fiscal Impact to the County of \$1,450.17 per Month for the Initial Term Estimated to be at Total of \$23,202.72 and Adjusted at the Commencement of Each Option Period by the Tenant's pro-rata Share of the Increase of the Building's Operating Expenses; Declaring the Property as Surplus; Authorizing the County Mayor or County Mayor's Designee to Exercise all Rights Conferred in the Lease and to take all Actions Necessary to Effectuate Same

Prime Sponsor: Keon Hardemon, District 3

Requester: Internal Services

Committee Action Date: None

Pursuant to Resolution No. R-129-22, adopted on February 1, 2022, and the new requirements per Implementing Order (I.O.) 8-4, the Office of the Commission Auditor (OCA) is directed to independently and simultaneously review and comment on the proposed leasing and conveyance of County property prior to the submission of an agenda item to the Board of County Commissioners (BCC).

RESEARCH FINDINGS

OCA completed the required review of "Ashley V. Gantt, State of Florida Representative," the intended recipient of the lease and tenant of the Joseph Caleb Center. OCA noted no adverse informational findings. The analysis of past conduct revealed that "Ashley V. Gantt" was not previously conveyed or leased a County property, as authorized through BCC resolution. OCA is providing this report as a Supplement to BCC Agenda File Item No. 231285.

Resolution Approving Award of Contract No. EVN0000251 to Fire Dex GW LLC dba Gear Wash in an Amount Not to Exceed \$12,758,625.00 for the Purchase of Cleaning and Repair of Bunker Gear for Miami-Dade Fire Rescue Department for a Five-Year Term; And Authorizing the County Mayor or County Mayor's Designee to Give Notice of This Award to the Recommended Vendor, 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: Strategic Procurement

Committee Action Date: 06/15/2023, Community Safety, Security & Emergency Management Committee (CSSEMC)

RESEARCH FINDINGS

OCA's review of the Item found no substantive legislative, procedural, or administrative non-compliance.

CONTEXTUAL INFORMATION

The Competitive Procurement Process: At the June 15, 2023, CSSEMC meeting, the Committee inquired about the substantial increase in the allocation amount for *Contract No. EVN0000251* (Bunker Gear) and requested an explanation for why the County received one (1) bid during the competitive procurement process submitted by the incumbent vendor. SPD explained that one of the reasons for the higher contract value was the limited number of vendors available in the market.

The Department further stated that the final recommended award value was the best price the County could negotiate. Fire-Dex's proposed bid amount is \$2,551,725 per year, for a total of \$12,758,625 for the five-year contract term.

OBSERVATIONS

Market Research: SPD market research identified in the County's Bid Tracking System (BTS) identified six (6) qualified prospective firms that could potentially participate in the competitive procurement process, including the incumbent vendor. The market research recommended that the County procure the services through an Invitation to Bid (ITB) process.

- **Prospective Vendors:** Through independent research, OCA observed that three (3) of the six (6) prospective vendors identified in the market research would not have been able to meet the requirements as set forth in the solicitation. One (1) of the firms, Gloves Inc., filed for dissolution on September 28, 2018 observed on Sunbiz.org. A second firm, LION Inc., does not have a facility in Miami-Dade County, which was a requirement to perform the services. A third firm, Xeros High Performance dba Market PPE Restoration, was acquired in 2021 by Fire-Dex, the incumbent firm. The market research was completed in November 2022.

Vendor Participation Survey and Responses: OCA observed that on April 14, 2023, three (3) weeks after the closing of the solicitation, SPD conducted a survey of the identified vendors to determine whether barriers existed that prevented the vendors from competing in the competitive procurement process. Paraphrased below are the responses from the three (3) vendors, per the responses documented by SPD.

- **J-MAC Cleaning Services Inc.** The vendor had not seen the bid when it was advertised.
- **Fire Tec Inc.** The vendor was not ready at the time but would like to be considered for future opportunities.
- **Fire Clean Inc.** The vendor was not aware that a bid was advertised and indicated that they would register with the County's INFORMS system.

Though SPD's market research identified both Fire Tec Inc. and Fire Clean Inc. as qualified prospective firms, the survey responses from the two (2) vendors indicated they may not have been aware of the solicitation or the required vendor registration procedures needed to participate in or be notified of the solicitation.

The Mayoral Memorandum for this Item further explains that the survey was sent to vendors identified in the market research. However, OCA observed that one (1) of the respondents to the survey, J-MAC Cleaning Services Inc., was not one (1) of the six (6) vendors identified through market research.

INQUIRY

OCA inquired with SPD about the Department's efforts to ensure vendors identified through market research are ready to participate in the bidding process and understand the County's registration requirements to participate in the competitive procurement process. OCA also inquired into how SPD facilitates vendor communication and access through INFORMS to increase maximum vendor participation.

Resolution Approving Additional Expenditure Authority up to \$2,600,000.00 for a Total Modified Prequalification Pool Amount of \$3,600,000.00 for Group 4 Of Prequalification Pool No. RTQ-02124 for the Purchase of Telecom Services, Equipment, and Materials for the Information Technology Department

Prime Sponsor: None

Requester: Strategic Procurement

Committee Action Date: 06/15/2023 - County Infrastructure, Operations and Innovations Committee

RESEARCH FINDINGS

OCA's review of the Item found no substantive legislative, procedural, or administrative non-compliance.

CONTEXTUAL INFORMATION

RTQ-02124 (Telecom Services) was first established under the Mayor's delegated authority for \$1,000,000, on October 1, 2022, for a five-year term. SPD's additional expenditure request is being presented to the Board of County Commissioners nine (9) months into the Pool's term and is 2.6 times the initial allocation of \$1,000,000, for a cumulative amount of 3.6 million.

FINANCIAL ANALYSIS

Initial Requested Amount: On December 2, 2021, ITD submitted an Allocation Request Form (ARF) to SPD requesting \$13,000,000 to establish a pool for a five-year term. The February 16, 2022 Small Business Division's (SBD) Project Worksheet also stated the Pool amount at \$13,000,000.

Financial Comparison to the Previous Pool: The monthly historical allocation under the previous Pool, RTQ-9234-2/18 (Previous Pool), is significantly higher than the projected average monthly allocation under the current Pool RTQ-02124 (Telecom Services). RTQ-9234-2/18 (Previous Pool) had a cumulative allocation of \$26,226,000 for a ten-year six-month term at an average monthly allocation of \$208,143.

With the initial allocation of \$1,000,000, RTQ-02124 (Telecom Services) had an average monthly allocation of \$16,667 for the 60-month term. The additional allocation requested in this Item will increase the average monthly allocation to \$60,000, across the total term.

Table 1 below compares the average monthly allocation based on approved allocations for the past and current Pool, and the calculated average monthly allocation if this Item is approved.

Table 1

POOL EXPENDITURE AUTHORITY			
Pool	Average Monthly Allocation	Total Months	Total Allocation Amount
RTQ-9234-2/18 (Previous Pool)	\$208,143	126	\$26,226,000
RTQ-02124 (Telecom Services)	\$16,667	60	\$1,000,000
• RTQ-02124- (Telecom Services) Additional Expenditure Authority Proposed	\$60,000	60	\$3,600,000

OBSERVATIONS AND INQUIRY

OCA inquired with SPD regarding the following: the reason the Mayor's delegated authority was used to establish *RTQ-02124* (Telecom Services) for \$1,000,000; if additional expenditure authority requests were anticipated; why the total authorized expenditure authority is substantially lower than the historical spend on the previous pool. The bullets below summarize SPD's responses and presents OCA's observations.

- **Historical Spend:** SPD indicated that the proposed allocation is based on historical spending under *RTQ-9234-2/18* (Previous Pool).

However, OCA observes that, as described in Table 1 above, the historical average monthly allocation under *RTQ-9234-2/18* (Previous Pool) was significantly higher than that for *RTQ-02124* (Telecom Services). Additionally, if the historical spend for *RTQ-9234-2/18* (Previous Pool) serves as the gauge for the allocation amount, it remains unclear why the pool was initially established for \$1,000,000 under delegated authority, as opposed to the \$13,000,000 as initially requested by ITD. The average monthly allocation for the \$13,000,000 initially requested by ITD would have been \$216,667, which is more aligned with historical spending under *RTQ-9234-2/18* (Previous Pool).

- **Transition to MCC Program:** SPD explained that the initial allocation of \$1,000,000 to establish *RTQ-02124* was an estimated amount for the continuity of services while ITD transitions Groups 1, 2, and 3 to competition under the Miscellaneous Construction Contracts (MCC) Program.

Though OCA observes that the advertised solicitation for *RTQ-02124* (Telecom Services) does not indicate that Groups 1, 2, and 3 would transition to the MCC Program.

Appointment of Salvatore D'Alessandro to the Small Business Enterprise Construction (SBE-C) Advisory Board

Prime Sponsor: None

Requester: Clerk of the Board

Committee Action Date: None

RESEARCH FINDINGS

OCA completed the required background research regarding the appointment of Salvatore D'Alessandro to the Small Business Enterprise Construction (SBE-C) Advisory Board. The research yielded no informational findings. This report is being provided as a Supplement to BCC File Item Number 231402.

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.

CONTRIBUTORS

Daniel Castro Bonilla, Associate Research Analyst

Shayna M. Cohen, MSc., Research Analyst

Jannesha V. Johnson MBA, Administrative Assistant

Stuart L. Rimland, Esq., Research Analyst

Phillip A. Rincon, MA, CPPB, Research Manager

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, are 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).