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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: June 3, 2010

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

Agenda Item No.9(A)(3)

From: George M. Burgess
County Manager

Resolution No. R-620-10

Subject: Equitable Distribution Program Professional Services Agreements
Fourth Quarter 2009 and First Quarter 2010 Ratification Reports

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution ratifying the County Manager's execution of 38 Equitable Distribution Program (EDP) Professional Services Agreements (PSA) during the fourth quarter of 2009 and the first quarter of 2010 as identified on the attached EDP PSA Ratification Reports. (Exhibit "A and B") EDP contracts are regularly issued and renewed to qualified local architectural, engineering and landscape architectural firms (A&E) that are in good program standing. The EDP PSA is the formal mechanism which allows County Agencies to issue work authorizations to the eligible EDP participants. The contracts do not have an award value because there is no guaranteed compensation.

Scope

EDP professional service orders impact the capital improvement plans throughout the entire County and all Commission Districts.

Fiscal Impact/Funding

Funding for the professional services ordered under the EDP is identified at the time of issuance of the service order and is consistent with each department's capital project budgets.

Tracking/Monitor

Each EDP service order specifies the department's contact person responsible for the project. The "EDP Department Project Reports" are available in the Capital Improvements Information System (CIIS). The EDP program is managed by the Office of Capital Improvements.

Delegated Authority

Resolution R-631-01 establishing the EDP Program which was superseded by R-667-03 delegated the authority to the County Manager to execute and terminate EDP contracts which are subsequently sent for Board ratification on a quarterly basis.

Background

The EDP was established by the Board of County Commissioners in June 2001. The EDP is a pre-qualified pool of eligible architectural and engineering (A&E) firms designed to increase opportunities for locally based businesses. The objectives of this program are to equitably and expeditiously distribute small capital improvement design projects within the thresholds established in Florida State Statute 287.055 for continuing contracts, as well as to facilitate contract opportunities for architectural and engineering firms. The EDP also affords County department's access to qualified professionals for smaller projects without necessitating a formal solicitation process. The program is structured to distribute projects to participants through a centralized rotational system based on each firm's prior contracting opportunities with the County. The intent of the legislation adopting the EDP was for all

qualified architectural and engineering firms that have not had a previous service opportunity with the County to receive an EDP professional services agreement.

This program continues to serve its objective in providing many firms with valuable exposure and experience to successfully and more effectively compete in the marketplace. As a result, many new local firms have been able to foster a successful business relationship with the County.

From the implementation of the EDP in 2002 through March 31, 2010 over 1,480 EDP assignments totaling more than $71 million in potential service fees have been disbursed to 352 EDP participants. 85% of the current 346 program members have participated in EDP projects. Also, 50% of the EDP firms are DBE and/or CBE firms and 85% of the firms have received work opportunities. Assignments are issued on a rotational basis to eligible firms. Each firm's position in the EDP Pool is based on each of the firm's approved County technical categories and the rotational value determined from their net County dollars awarded and/or paid over the last three (3) years.

The program has provided an efficient mechanism for capital departments to access qualified firms, and increase competition. The County has also benefited from the implementation of this program by providing A&E professional services in a more expeditious manner. Historically, the solicitation process for procuring miscellaneous contracts took approximately nine (9) months. The average EDP project award takes approximately thirty (30) days.

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: June 3, 2010

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 9(A)(3)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 9(A)(3)
6-3-10

RESOLUTION NO. **R-620-10**

RESOLUTION RATIFYING THE COUNTY MANAGER'S ACTIONS, AS AUTHORIZED BY SECTION 2-10.4 OF THE CODE OF MIAMI-DADE COUNTY IN APPROVING AGREEMENTS FOR CONTINUING SERVICES UNDER THE COUNTY'S EQUITABLE DISTRIBUTION PROGRAM

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board ratifies the actions of the County Manager, as authorized by Section 2-10.4 of the Code of Miami-Dade County, in approving the recommendations listed on Exhibit "A and B" attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner **Jose "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Audrey M. Edmonson** and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman **aye**
Jose "Pepe" Diaz, Vice-Chairman **aye**

Bruno A. Barreiro	**aye**	Audrey M. Edmonson	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Barbara J. Jordan	**aye**	Joe A. Martinez	**absent**
Dorrin D. Rolle	**aye**	Natacha Seijas	**aye**
Katy Sorenson	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of June, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Hugo Benitez

Office of Capital Improvements
Equitable Distribution Program (EDP) Continuous Professional Services Agreements
EDP PSA Ratification Report Fourth Quarter FY 2009

EXHIBIT A

NOTE: Department work assignments are issued on an as needed basis based on the firms previous award and paid history on County projects.

EDP PSA 2011-D Expires 12/31/2011	Manager Approval	Clerk Approval	New Member	Member Renewal	Business Enterprises
AXIOMA 3, INC.	07/07/09	07/08/09		✓	CBE, DBE, MICRO/SBE
AZZE ARCHITECTURE, INC.	07/14/09	07/14/09	✓		CBE, MICRO/SBE
CONSUL TECH ENTERPRISES, INC. FORMER CONSUL-TECH DEVELOPMENT SERVICES, INC.	07/01/09	07/02/09		✓	
CPH ENGINEERS, INC,	07/07/09	07/08/09	✓		
EASTERN ENGINNEERING GROUP, INC.	08/25/09	08/28/09	✓		CBE, DBE, MICRO/SBE
GLOBEX ENGINEERING & DEVELOPMENT, INC.	07/01/09	07/02/09	✓		CBE
HSQ GROUP, INC.	07/27/09	08/03/09	✓		CBE
LEITER, PEREZ & ASSOCIATES, INC.	07/01/09	07/02/09		✓	CBE, MICRO/SBE
LINEA 5, INC.	07/07/09	07/08/09	✓		CBE, SBE
PASCUAL,PEREZ & ASSOCIATES, INC.	07/13/09	07/14/09	✓		
ROSS ENGINEERING, INC.	07/13/09	07/14/09	✓		CBE
THE BETAJONES GROUP, INC.	08/07/09	08/10/09	✓		CBE
WILBUR SMITH ASSOCIATES, INC	09/17/09	09/17/09	✓		

EDP PSA 2011-D-R Expires 12/31/2011	Manager Approval	Clerk Approval	New Member	Member Renewal	Business Enterprises
ADVANCE CONSULTING ENGINEERING SERVICES, INC.	09/17/09	09/21/09		✓	CBE, DBE
ANNE JACKAWAY ARCHITECTURE, INC.	09/03/09	09/04/09	✓		
BEHAR FONT & PARTNERS P.A.	07/15/09	07/16/09	✓		
C A S ENGINEERING, INC.	09/03/09	09/04/09		✓	CBE, DBE, MICRO/SBE
CASHIN ASSOCIATES, P.C.	09/16/09	09/19/09	✓		
DEVELOPMENT CONSULTING GROUP, INC.	09/16/09	09/18/09	✓		CBE, DBE, MICRO/SBE
DNB DESIGN GROUP, LLC.	08/25/09	08/28/09	✓		CBE
FANDREI CONSULTING, INC.	09/16/09	09/16/09	✓		
HAMMOND & ASSOCIATES, INC.	08/25/09	08/31/09		✓	CBE, DBE
KVH ARCHITECTS, P.A.	09/03/09	09/04/09		✓	CBE, DBE, MICRO/SBE
MAKOWSKI & WRIGHT, INC.	08/30/09	08/31/09		✓	
PACO GROUP, INC.	08/25/09	08/31/09		✓	
R.J. HEISENBOTTLE ARCHITECTS, P.A.	08/18/09	08/20/09		✓	CBE, MICRO/SBE
ROBAYNA & ASSOCIATES, INC.	08/24/09	08/27/09		✓	CBE, DBE, MICRO/SBE
RVL ARCHITECTURE + DESIGN PA	08/18/09	08/20/09	✓		

Office of Capital Improvements
Equitable Distribution Program (EDP) Continuous Professional Services Agreements
EDP PSA Ratification Report First Quarter FY 2010 October - December 2009

EXHIBIT B

NOTE: Department work assignments are issued on an as needed basis based on the firms previous award and paid history on County projects.

EDP PSA 2011-D Expires 12/31/2011	PSA Reveived	Manager Approval	Clerk Approval	Processing Days	New Member	Member Renewal	Business Enterprises
NADIC ENGINEERING SERVICES, INC.	09/11/09	10/14/09	10/19/09	38		✓	CBE, MICRO/SBE
PEDELTA INC.	11/18/09	12/04/09	12/04/09	16	✓		CBE

EDP PSA 2011-D-R Expires 12/31/2011	PSA Reveived	Manager Approval	Clerk Approval	Processing Days	New Member	Member Renewal	Business Enterprises
DESIMONE CONSULTING ENGINEERS, LLC	11/09/09	11/18/09	11/18/09	9	✓		
EMTEC CORPORATION	09/15/09	10/05/09	10/06/09	21		✓	CBE
FRANYIE ENGINEERS, INC.	10/27/09	11/04/09	11/05/09	8		✓	CBE, SBE
H R ENGINEERING SERVICES, INC.	08/25/09	10/13/09	10/14/09	49		✓	CBE, DBE, MICRO/SBE
KING ENGINEERING ASSOCIATES, INC.	12/14/09	12/18/09	12/18/09	4	✓		
LUDOVICI & ORANGE CONSULTANTS	09/11/09	10/14/09	10/19/09	38		✓	CBE
MANUEL G. VERA AND ASSOCIATES	10/20/09	11/04/09	11/05/09	15		✓	CBE, SBE
THE R. C. GROUP, INC.	10/29/09	11/06/09	11/06/09	7	✓		

Total EDP PSA Completed 10	

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

Legislative Notes

Agenda Item:	**9(A)3**
File Number:	**101058**
Committee(s) of Reference:	**Board of County Commissioners**
Date of Analysis:	**May 22, 2010**
Type of Item:	**Resolution**

Summary

This resolution ratifies the County Manager's execution of 38 Equitable Distribution Program (EDP) Professional Services Agreements (PSA) for the Fourth Quarter of 2009 and the First Quarter of 2010 for architectural, engineering and landscape architectural firms.

- Of the 38 firms seeking ratification, 17 are member renewals and 21 are categorized as new members.
- 16 of 38 firms have recorded Past Performance Evaluations (PPEs) because they are the only firms that have completed projects requiring evaluations.
- The other 22 firms either do not have any projects or do not have any completed projects or acted as a sub-consultant.
- **According to Office of Capital Improvement (OCI) staff, some work assignments are active or have not been closed by the capital departments. Capital departments are tasked with completing contract performance evaluations at the completion of an EDP project.**

According to OCI staff:

- *There were 346 active firms in the program as of March 31, 2010. OCI has processed over 430 firms in the program but many are no longer active because: (1) vendors have not maintained their technical certification(s) with Miami-Dade; (2) vendors closed their offices; (3) vendors no longer maintain a office in Miami-Dade; and (4) vendors changed their name.*

Background and Relevant Information

The EDP was created in June 2001 when the Board of County Commissioners (BCC) adopted Administrative Order 3-33. The purpose for establishing the EDP was to fairly and equitably distribute Architectural and Engineering (A/E) professional services for all miscellaneous type projects in which construction costs do not exceed the thresholds required by Section 287.055, Florida Statutes. Due to the development of various computer programs, databases, development of the pre-qualification pool, and forms, full implementation of the program did not take place until July 2002 when the first work assignment was made.

- OCI is tasked with overall administration of the EDP.
- New participants are not required to execute the Professional Services Agreement (PSA) until such time they are selected for a work assignment.
- Pursuant to Administrative Order 3-39 (AO), Capital departments are only required to complete one EDP performance evaluation at the completion of the assignment.
- The EDP is not a minority and/or small business program.
- The EDP provides work assignment opportunities to firms by employing a rotational selection process based on a firm's past three (3) year award and payment history on County projects. The qualified EDP firms that have had fewer opportunities to provide services to the County over the past three (3) years are typically ***given the first opportunities*** for an EDP project assignment.
- In order for a firm to participate in the rotational process (EDP program), the firm must meet all pre-qualification process criteria and meet the EDP eligibility requirements, pursuant to AO 3-39.

Equitable Distribution Program/Professional Services Agreements

	Firm Name	EDP Prime Assignments	A & E PSA (Includes EDP PSA)	Average Performance Evaluation	*Comments EDP PPEs are entered when a project is completed and closed out by the User Dept
1	ADVANCE CONSULTINGENGINEERING SERVICES, INC.	1	4	4.0	1 EDP PPE/No PW T&S PPEs
2	ANNE JACKAWAY ARCHITECTURE, INC.	1	1	0.0	EDP projects not completed
3	AXIOMA 3, INC.	5	2	4.0	2 PPE/ All EDP projects not completed
4	AZZE ARCHITECTURE, INC.	1	1	0.0	EDP projects not completed
5	BEHAR FONT & PARTNERS, P A	2	1	0.0	EDP projects not completed
6	CAS ENGINEERING, INC.	2	2	3.2	4 PPEs
7	CASHIN ASSOCIATES, P.C.	1	1	0.0	EDP project/s not completed
8	CONSUL-TECH ENTERPRISES, INC.	7	1	3.5	4 PPEs
9	CPH ENGINEERS, INC.	2	1	0.0	EDP projects not completed
10	DEVELOPMENT CONSULTING SERVICES, INC.	2	2	0.0	2 PPEs/EDP projects not completed
11	DESIMONE CONSULTING ENGINEERS, LLC	1	1	0.0	EDP projects not completed
12	DNB DESIGN GROUP, LLC	1	1	0.0	EDP projects not completed

	Firm Name	EDP Prime Assignments	A & E PSA (Includes EDP PSA)	Average Performance Evaluation	*Comments EDP PPEs are entered when a project is completed and closed out by the User Dept
13	EASTERN ENGINEERINGGROUP COMPANY	2	1	0.0	EDP projects not completed
14	EMTEC CORPORATION	3	1	3.3	2 PPEs
15	FANDREI CONSULTING, INC.	1	1	3.5	1 PPE
16	FRANYIE ENGINEERS, INC.	0	1	0.0	Sub consultant PPE not applicable
17	GLOBEX ENGINEERING DEVELOPMENT, INC.	4	1	0.0	EDP projects not completed
18	HAMMOND & ASSOCIATES, INC.	1	1	0.0	EDP projects not completed
19	HSQ GROUP, INC.	1	1	0.0	EDP projects not completed
20	HR ENGINEERING SERVICES, INC.	0	4	3.0	1 PPE/No EDP Assignments
21	KING ENGINEERING ASSOCIATES, INC.	2	1	3.9	1 PPE/ EDP projects not completed
22	KVH ARCHITECTS, P.A.	1	2	3.8	1 PPE/EDP project not completed
23	LEITER, PEREZ & ASSOCIATES, INC.	4	6	3.7	4 EDP PPEs/No PW T & S PPEs
24	LINEA 5, INC.	2	1	0.0	EDP projects not completed
25	LUDOVICI & ORANGE CONSULTING ENGINEERS, INC.	0	7	3.2	No EDP Projects/ 8 PPEs
26	MAKOWSKI & WRIGHT, INC.	1	4	3.1	1 PPE/No PW T & S PPEs
27	MANUEL G. VERA & ASSOCIATES	4	2	3.1	3 PPEs
28	NADIC ENGINEERING SERVICES INCORP	1	2	3.5	1 EDP PPE
29	PACO GROUP, INC.	0	1	0.0	Sub consultant PPE not applicable
30	PASCUAL	0	1	0.0	No EDP projects
31	PEDELTA, INC.	0	1	0.0	Sub consultant PPE not applicable
32	R.J. HEISENBOTTLE ARCHITECTS, P.A.	3	2	2.7	6 PPEs

	Firm Name	EDP Prime Assignments	A & E PSA (Includes EDP PSA)	Average Performance Evaluation	*Comments EDP PPEs are entered when a project is completed and closed out by the User Dept
33	ROBAYNA AND ASSOCIATES, INC.	1	7	3.4	4 PPEs/EDP Project not completed
34	ROSS ENGINEERING, INC.	1	1	0.0	EDP project not completed
35	RVL ARCHITECTURE + DESIGN, P.A.	2	1	0.0	EDP projects not completed
36	THE BETAJONES GROUP, INC.	0	1	0.0	Sub consultant PPE not applicable
37	THE R.C. GROUP INC.	1	1	0.0	EDP projects not completed
38	WILBUR SMITH ASSOCIATES, INC.	0	1	0.0	No EDP projects

Source: Office of Capital Improvements/CIIS System

Comments

According to OCI staff, OCI has requested that participating capital department Project Managers close out their projects timely and complete the performance evaluations. Administrative Order 3-42 - *Evaluation and Suspension of Contractors and Consultants*, states that "all contractors and consultants shall be evaluated for their performance at least once on each capital improvements contract or agreement."

Prepared by: Michael Amador-Gil