




Memorandum



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To: The Honorable Carlos A. Gimenez, Mayor, Miami-Dade County

From: Mary T. Cagle, Inspector General 

Date: May 11, 2020

Subject: PRELIMINARY REPORT - Janitorial Services and Special Events Personnel for the Re-Opening of Parks; Ref. IG 20-0009-O & 20-0010-O

INTRODUCTION

The OIG was contacted by the Parks and Open Spaces Department (PROS) and the Internal Services Department (ISD) and advised of the County's planning for the phased re-opening of the parks. We were advised that two emergency contracts would be awarded for janitorial services and special events personnel to assist in that endeavor. ISD asked that the OIG review and monitor the procurements. At the same time, PROS requested the OIG's oversight assistance in reviewing the contracts and monitoring the implementation of the program to re-open parks. This memorandum provides a simple summary of the OIG's contract recommendations that were incorporated into the two agreements, and some of our observations to date. We are providing these preliminary observations so that PROS staff can make any needed adjustments without delay, as we enter the second week of the parks being re-opened.

PRE-OPENING CONTRACT OVERSIGHT & RECOMMENDATIONS

On April 23, 2020, during a video conference meeting, PROS advised the OIG that they were planning for the phased re-opening of the parks on Wednesday, April 29th. In preparation for this re-opening, the County was in the midst of contracting with Able Business Services, Inc. (ABS) and Whelan Event Staffing Services, Inc. d/b/a WESS, for cleaning services and special events personnel respectively, to assist in the re-opening of the parks. Both vendors were selected on a non-competitive basis and awarded emergency contracts.

For the janitorial contract, ISD had prepared and issued a Request for Quote (RFQ) for *[Emergency] Restrooms Cleaning and Disinfecting Services for Parks, Recreation and Open Spaces*. The RFQ identified a total of 66 restrooms located in 59 parks; all the restroom facilities were divided into three zones. Vendors were asked to provide a price for each cleaning each facility at least once every two (2) hours, daily between 7:00 a.m. and 8:00 p.m. The vendor would also be responsible for providing all cleaning supplies and restroom products. The RFQ was structured so the County could award up to three

vendors (one for each zone) or to one vendor for all three zones. The RFQ was issued on April 21, 2020. It was sent to 41 janitorial service firms that currently make up the County's janitorial pool and to another firm not in the County's pool but that requested a copy of the RFQ. In total, 42 RFQ's were distributed. During the next 24 hours, the RFQ terms and conditions were modified, as well as re-set to the quote due date/time, which ultimately was fixed for Wednesday, April 22 at 5:00 p.m.

Seventeen responses were received (14 quotes from "pool" vendors, 2 "no quotes" from pool vendors, and 1 quote from the "non-pool" vendor). Out of the 15 quotes received, 12 were for all three zones, and 3 quotes were for singular zones. The tally was prepared by ISD and furnished to PROS for its selection. As an emergency award, the selection was not a low bid award. Instead, PROS evaluated the quotes based on two criteria: 1) what was the service start date specified by the vendor in its quote; and 2) what was the vendor's past/present experience servicing county departments. Later that evening, PROS announced that its selected vendor was Able Business Services, Inc. (ABS). ABS is a county certified Small Business Enterprise. While its price was not the lowest, it was also not the highest. Of the 12 quotes received for all three zones, ABS' price came above the average. Its combined price quote was \$796,491 monthly.

For the event staffing contract, PROS advised the OIG that a senior County official identified WESS as a possible vendor that could readily provide the services to meet the needs of PROS. Apparently, WESS provides event staffing to the Hard Rock Stadium and its workforce had already passed the necessary criminal background screenings—a requirement of working in the County's parks. PROS identified that it would need over 400 people to supplement County staff in the parks. County staff includes PROS employees and School Crossing Guards.¹ Once identified, PROS engaged in direct negotiations with WESS, which resulted in a contract award. WESS is compensated at an hourly rate for event staff (\$29.76) and supervisory personnel (\$34.88). Both the ABS and WESS contracts are subject to the County's Living Wage requirements.

During our initial discussion with PROS, and in subsequent emails, the OIG offered a number of suggestions for PROS to consider for inclusion in the contracts. ISD, PROS, and the County Attorney's Office have been receptive to our suggestions.

ABS – In brief, this contract requires ABS to clean and disinfect the restrooms every two (2) hours daily between 7:00 a.m. to 8:00 p.m. ABS is to provide all cleaning supplies and restroom products (disinfectants, floor cleaners, mops, buckets, trashcan liners, antibacterial hand soap, paper towels, toilet paper, etc.) The contract identifies 66 restrooms located in 59 parks. The OIG comments included:

- Suggested that PROS add a requirement that ABS prepare a Daily Cleaning Log for both male and female restrooms that would indicate the date/time that the facility was last cleaned and the initials of person performing that

¹ School Crossing Guards are civilian employees of the Miami-Dade Police Department (MDPD).

duty. This log was intended to assure the public using the facility that the restroom was being routinely cleaned.

- Provided numerous corrections to the parks address listing, subsequent to receiving proposals.

WESS – In brief, this contract requires WESS to provide sufficient personnel to staff 144 parks/marinas located throughout the County to encourage and enforce the County’s social distancing, face mask, and restricted area mandates. The OIG comments included:

- All WESS personnel should be attired in uniform clothing (T-shirts) that indicate to the public that they are part of the park’s staffing. WESS personnel should wear name tags.
- Each person to be equipped with a communications device.
- Operations Plan to include:
 - Notification procedures in the event of infractions or emergencies.
 - Do not call 911 unless true emergency.
- Invoices to include an attached certified payroll to substantiate the invoiced amount.
- Shannon Melendi Affidavit to include an attachment with the names and partial social security number of the individuals attested to having met the background check requirements of the Shannon Melendi Act. (See additional OIG discussion on page 6.)

All the above OIG comments were included in the final contracts.

The OIG recently made another suggestion to PROS requiring that ABS and WESS immediately notify PROS if any of their personnel test positive for COVID-19. PROS concurred with this suggestion and stated that it will add this requirement into the Operational Plan.

POST-OPENING OIG PARK VISITS

The OIG is aware that the immediate mobilization of such a large workforce with different requirements, during these uncertain times, would not be without its challenges. In particular, a review of the staffing schedule for WESS illustrates the complexity and logistical challenge to mobilize and provide the desired coverage of all the County’s parks. Shown on the next page is a summary of the daily staffing requirements in the County’s parks, where each shift represents a position to be staffed.

Table 1: WESS Summary Staffing Chart by Day of the Week

Classification of Parks/Marinas	Number of Parks	Work Shifts to be Covered by WESS							Totals
		Mon	Tue	Wed	Thu	Fri	Sat	Sun	
Marinas	6	60	60	60	60	60	60	60	420
Regionals/Heritage	10	34	34	34	34	68	68	68	340
Community (Manned/RR)	42	89	89	89	89	178	178	178	890
Unmanned (Restroom)	8	9	9	9	9	18	18	18	90
Unmanned (North)	20	27	4	5	3	15	30	32	116
Unmanned (Central)	24	34	33	28	27	39	39	46	246
Unmanned (South)	34	30	28	24	22	52	60	64	280
TOTALS	144	283	257	249	244	430	453	466	2,382

During weekdays, the requirement is between 244 to 283 shifts to be filled. There is a significant increase to between 430 to 466 shifts on weekends. The total required shifts per week is 2,382 or approximately 16,000 hours per week. The first or morning shift is 6.0 hours, while the second or afternoon shift is 7.5 hours. Thus, to assist PROS and to ensure that the County is receiving the services for which it contracted, the OIG scheduled a number of observational visits to selected parks.²

Beginning at 7:00 a.m., Wednesday, March 29, 2020, with the phased re-opening of the parks, the OIG began visiting a number of parks and continued visiting selected parks over the next 10 days. Table 2, below, shows the dates and parks listed in the order visited.

Table 2: PARKS VISITED BY THE OFFICE OF THE INSPECTOR GENERAL

Wednesday 04/29/20	Saturday 05/02/20	Sunday 05/03/20	Monday 05/04/20	Saturday 05/09/20
CENTRAL (7) A.D. Barnes* Tropical*** Banyan Blue Lakes* Tropical Estates* Concord Tamiami** Tropical***R A.D. Barnes*R SOUTH (5) Blackpoint Marina* Goulds* Naranja* Southridge West Perrine*	CENTRAL Tropical***R A.D. Barnes*R	CENTRAL (6) Hammocks Community* Devon Aire* Ron Ehmann* Kendall Indian Hammocks** Snapper Creek Trail Sunset Tropical***R A.D. Barnes*R SOUTH (5) Blackpoint Marina*R Homestead Air Reserve* Live Like Bella* South Dade*	MARINAS (2) Matheson Marina* Crandon Marina*	NORTH (10) Pelican Harbor Marina Haulover Marina Greynolds** Highland Oaks* Ives Estates* Oak Grove* Biscayne Shores & Gardens Gwen Cherry* Partners for Youth* Olinda

² OIG personnel were attired in shirts displaying the County OIG logo. Our observations were guided by a checklist of contract requirements that we used for assessing for compliance.

Wednesday 04/29/20	Saturday 05/02/20	Sunday 05/03/20	Monday 05/04/20	Saturday 05/09/20
		SOUTH (cont.) Homestead Bayfront Marina* Plaza Licenciado Benito Juarez*		CENTRAL Devon Aire * ^R SOUTH (5) Sgt. Joseph Delancy* Wild Lime* Sandpiper* Eureka Villas* Eureka*
* Each * denotes a restroom serviced by ABS. Not all parks have restrooms serviced by ABS. R Indicates re-visit				

During the initial days of the parks re-opening, the OIG made 48 visits (including re-visits) to 40 parks; of these 40 parks, seven (7) do not have restrooms and four (4) have multiple restrooms.

OIG OBSERVATIONS – PRELIMINARY

Outlined below are some of the general observations made by the OIG during the visits to the parks. These observations are divided into three (3) categories: 1) General Observations; 2) ABS Janitorial Services; and, 3) WESS Event Staffing

1. General Observations

- Unlike the marinas on the weekend, most parks were sparsely attended.
- Most park visitors were generally engaged in some type of physical activity; i.e. walking, jogging, bike riding, singles tennis, etc.
- Most park visitors were adhering to social distancing and wearing face masks.
- There was some early confusion about the requirement of wearing a face mask while on the basketball court; i.e. strenuous activity.
- Pavilions, tot lots, etc. were cordoned off and not being used. Crandon Park’s outer gates were closed; Matheson Hammock Park lagoon area was cordoned off.
- The marinas were high traffic areas, the operation of which clearly needed the assistance of Miami-Dade Police Department (MDPD) officers. A PROS supervisor commented to the OIG that without MDPD presence, marina operations would be severely compromised because there would be little, if any, traffic control. PROS on-site personnel were not capable of handling that level of vehicle/boat traffic without help. WESS personnel

were observed at the boat launches enforcing park mandates (masks, distancing, etc.).

- There was no uniformity among the different parks for tracking, recording, or documenting the number of ABS/WESS personnel that were on site (and at what times) that could be used to substantiate vendor compliance with contract required staffing levels and performance standards, as well as vendor invoiced amounts.

2. ABS Janitorial Services

- The restrooms appeared clean and tidy.
- Many ABS personnel stated to the OIG that they were not provided with all supplies necessary to clean and sanitize the restrooms. They had advised their supervisor and were waiting for them to bring the supplies.
 - In most cases, they were not provided with toilet paper or paper towels (as required by the contract). In some instances, these were provided by PROS on-site staff.
 - In some cases, PROS personnel loaned cleaning equipment such as brooms, mops, buckets.
- In many cases, a Daily Cleaning Log was not visible; in some instances, the log was posted but without entry.
- Some PROS on-site personnel maintained a restroom cleaning log as part of their daily routine; however, the logs were not posted to the restroom, nor did the logs document who performed the cleaning, i.e., PROS maintenance or ABS.
- Two (2) restrooms were observed to be without paper towels.
- In many instances, the restrooms are cleaned after each use.
- Many restrooms had their doors propped in an open position to assist users in not touching the door handles.
- A few restrooms had touch-dispensing hand sanitizers affixed to the wall outside the door.
- In larger parks with multiple restrooms not all restrooms were staffed, as required by the contract.
- ABS personnel, by default, were often acting as a restroom monitor, although this function is not included in ABS's contract scope of services.

3. WESS Event Staffing

- PROS provided WESS with a complete staffing schedule for all parks, with certain slots pre-filled with PROS Personnel or School Crossing Guards. WESS was required to fill all remaining empty slots.

- PROS provided the dark green uniform t-shirts with the word STAFF in bold white letters on the back.
- The significant majority of WESS Personnel were not wearing name tags.
- On some occasions, WESS personnel were observed not properly wearing their face mask.
- WESS personnel were generally posted in the perimeter areas of the park.
- WESS personnel spoke English, had cellphones, and had been informed of emergency communication protocols.
- In one instance the OIG observed the presence of WESS personnel exceeded the scheduled number; in other instances, the OIG observed (or were advised by PROS personnel) that the number of WESS personnel on-site were less than the number required by the staffing chart.
- In one instance the OIG noted the complete absence of six (6) scheduled WESS personnel at a single busy park. Anecdotally, the OIG was advised of their absence on the previous day.
- The OIG encountered event staffing personnel who stated that they were employed by subcontractors to WESS. We also heard from some WESS employees that some other event staffing personnel worked for subcontractors. (These observations were noted during our site visits of Saturday, May 9, 2020.)

The observations presented here are preliminary and general in nature. It is hoped that these will provide some guidance to PROS while monitoring these contracts. The OIG has been in regular communications with PROS, and we will share our observations specific to the parks that we visited.

VENDOR COMPLIANCE WITH THE SHANNON MELENDI ACT

During our initial conference with PROS, the requirements of the County's Shannon Melendi Act (the Act) were discussed. The Act, codified in Sections 26-37 to 26-39 of the Code of Miami-Dade County, requires that a Level 1 nationwide criminal background check be performed on all employees and volunteers who will be performing work or providing services in a Miami-Dade County park.

The OIG was advised by PROS that due to the immediate need for personnel to begin providing janitorial services on April 29th, the County's Human Resources (HR) Department had implemented expedited procedures, including working during the weekend, to fingerprint all ABS employees for compliance with the Act. The OIG has been advised that, as of May 1, 2020, a total of 120 ABS employees have been fingerprinted and cleared by the County's HR Department.

The OIG was advised that a major reason for the emergency selection of WESS to provide special events personnel was that due to the nature of their business all, if not most, of their employees had already undergone the appropriate background checks. As a result,

they would be able to immediately mobilize a workforce of hundreds of personnel that would be in compliance with the Act. The OIG was advised that the proposed agreement with WESS would require that WESS execute an affidavit, attached to the contract as Appendix D, attesting to WESS's compliance with the Act. The OIG suggested that this affidavit be strengthened to include a listing of all its employees that they were in fact attesting to. We suggested the attachment include the names of the employees and a unique identifier, such as the last 4-digits of their Social Security Number (SSN) and/or a date of birth.³

PROS adopted the OIG suggestion and Section XVII of the contract specifically requires that WESS complete the affidavit and "...attach to such affidavit the list of names and the last four (4) digits of the social security number of all WESS personnel performing work on Park property..." WESS executed the contract, including the affidavit, on April 28, 2020. However, as of May 7, 2020, WESS has yet to provide the required list of names of employees that will be assigned to the parks and that they have satisfactorily completed the background checks in accordance with the Shannon Melendi Act.

As noted in our listed observations, on Saturday, May 9, 2020, the OIG learned that some event staffing personnel (wearing the green t-shirts) are not employed by WESS, but are employed by subcontractors to WESS. This is of particular concern in light of the Shannon Melendi Act requirements and the fact that WESS was selected for this emergency contract award because its personnel should have already passed the required criminal history background checks. Because the aforementioned affidavit requirement has not fully been complied with (i.e., the names of the individuals, including subcontracted personnel, have not been provided), this concern has been brought to PROS' attention for immediate corrective action.

GOING FORWARD

The OIG intends to continue monitoring ABS and WESS contract performance in the parks. Any observations requiring immediate corrective action will be promptly shared with PROS. We also intend to randomly review invoices from the two vendors and monitor the feasibility of federal emergency reimbursements for these expenses.

Cc: Edward Marquez, Deputy Mayor
Michael Spring, Senior Advisor to the Mayor
Maria Nardi, Director, Parks and Open Spaces Department
Christina Salinas-Cotter, Assistant Director, Parks and Open Spaces Department
Tara Smith, Director, Internal Services Department
Namita Uppal, Chief Procurement Officer, Internal Services Department
Cathy Jackson, Director, Audit and Management Services Department

³ The County's HR Department process for fingerprinting individuals for compliance with the Act requires the individual's SSN.