

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL



**2022
ANNUAL REPORT**

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MESSAGE FROM YOUR INSPECTOR GENERAL



On December 16, 1997, the Board of County Commissioners established by County ordinance the Office of the Inspector General empowering it to investigate, audit, and review allegations of waste, fraud, abuse and mismanagement. Commissioners determined that the oversight of such a large and diverse government required the organization and administration of the OIG to be independent and autonomous, to assure that no interference or influence external to the Office adversely affects the independence and objectivity of the Inspector General. This year we celebrate the 25th anniversary of providing the County with independent oversight. As we achieve this milestone, I reflect on the work of this office over the past 25 years.

Since its creation, our office has conducted hundreds of audits, administrative and criminal investigations, inspections, and reviews including procurement and contract oversight engagements, resulting in the recovery of millions of dollars and the identification of millions more in questioned costs, damages, losses, overpayments, and cost savings. In preparing this message I took the opportunity to review our prior annual reports with the intent of highlighting some of the major accomplishments over the years. The quantity and quality of work was quite significant. It is that continuity of service that we strive for. Our annual reports (post 2007) are available on our [website](#).

Our continued accreditation by the Florida Commission for Law Enforcement Accreditation and successful peer reviews by the Association of Inspectors General, most recently completed during fiscal year 2022, provide assurances that we are meeting or exceeding established standards for offices of inspectors general. We owe our success to the hard work and dedication of our OIG staff. I am grateful to work with immensely talented colleagues who are devoted to public service and the mission of the OIG. Our staff of diverse, highly skilled professionals is committed to providing oversight, promoting transparency, and ensuring accountability for the citizens of our County. The recent inclusion of the Office in the County charter, overwhelmingly passed via referendum, strengthens our autonomy and independence to allow us to provide responsible, unbiased, and independent oversight of County affairs.

As we celebrate an amazing 25 years, I am delighted to lead this organization forward as we re-commit to our mission and ensure this County provides its citizens with excellent service. I am pleased to submit our Annual Report summarizing the work and accomplishments of the Office of the Inspector General for fiscal year 2022.

Respectfully,

Felix Jimenez

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ABOUT THE OIG

ABOUT US

Autonomous and independent, the Miami-Dade County Office of the Inspector General (OIG) was created by the Board of County Commissioners to serve as a watchdog over County practices. Through three distinct yet overlapping functions – audits, investigations and legal/contract oversight – the OIG investigates fraud, waste and abuse, rendering findings based on facts and evidence.

MISSION

To detect, investigate and prevent fraud, waste, mismanagement, misconduct, and abuse of power through independent oversight of County affairs, and seek appropriate remedies to recover public monies.

VISION

To be recognized as the premier agency in holding Miami-Dade County government accountable, ensuring it continues to provide excellence every day.

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I. THE OIG EXECUTIVE TEAM



(left to right) Hector Ortiz, Patra Liu, Felix Jimenez, Marie Perikles, James Schlotzhauer

Inspector General Felix Jimenez is the head of the organization; his Executive Team includes Deputy Inspector General/General Counsel Patra Liu, Assistant Inspector General for Investigations Hector Ortiz, Deputy General Counsel Marie Perikles and Director of Data Analytics James Schlotzhauer.

Assistant Inspector General for Investigations Hector Ortiz leads the Investigations Unit. The Miami-Dade County OIG Investigations Unit consists of three squads of experienced Special Agents supported by a

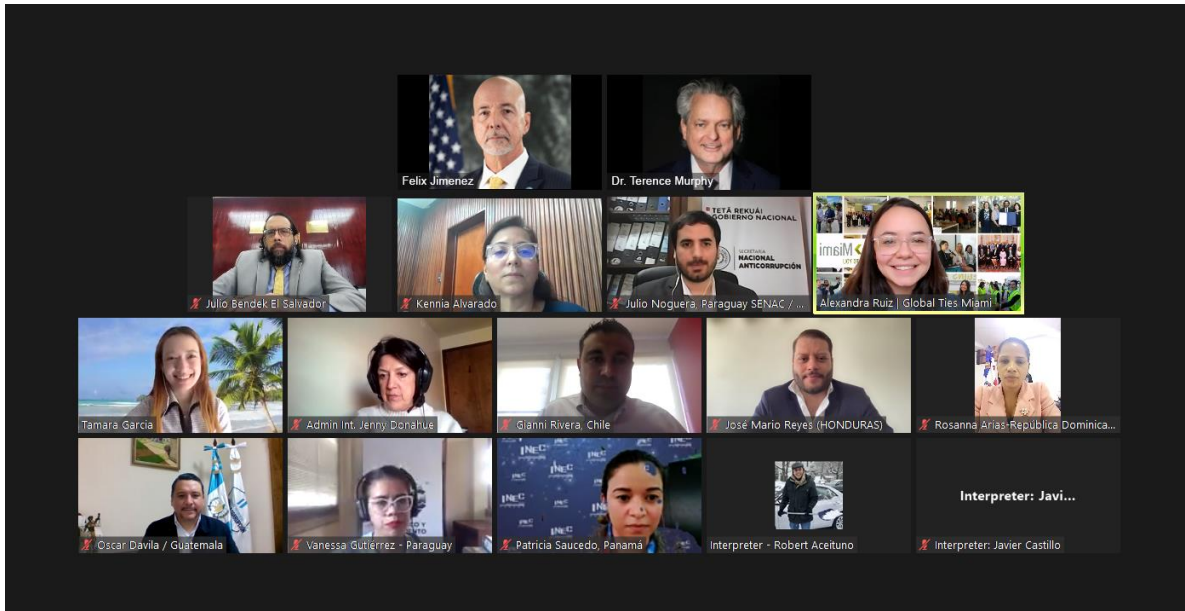
team of skilled Investigative Analysts. When investigations of fraud, waste and abuse of authority reveal criminal wrongdoing, the Assistant Inspector General for Investigations coordinates with state and federal criminal prosecutors to shepherd OIG cases to a successful legal resolution.

Ms. Liu manages the Legal Unit with Deputy General Counsel Marie Perikles and three additional attorneys. The Legal Unit provides continuous support and guidance to all OIG personnel from the moment a complaint is received to case closure, which oftentimes involves the issuance of public reports and memoranda. OIG attorneys provide counsel on jurisdictional questions and help assess the strengths and weaknesses of OIG cases for potential civil, administrative or criminal implications. OIG attorneys review all subpoenas issued by the Inspector General, and all public reports prior to release.

Ms. Liu also manages the OIG's Contract Oversight and Audit Units. Four Contract Oversight Specialists are deployed countywide. Their work includes active monitoring and random inspections of contracting and construction activities to ensure fairness in the procurement process and compliance with contract specifications. The Audit Unit consists of a team of certified professionals with a wide range of government and private sector experience. Ms. Liu formulates the OIG's annual Strategic Work Plan and oversees audits, inspections, and reviews. The Audit Unit frequently coordinates with the Investigations Unit and/or Contract Oversight Unit. All three units work together to advance the mission of the Office.

As the Director of Data Analytics, James Schlotzhauer has the primary responsibility to ensure the alignment, development and integration of data analytics, business intelligence and artificial intelligence necessary to support the mission, vision, strategies, objectives, and goals of the OIG. Mr. Schlotzhauer organizes, assembles and supports resources necessary to address the current and future analytical needs of the OIG.

II. IG SHARES BEST PRACTICES



Department of State’s International Visitor Leadership Program

On March 1, 2022, the Miami-Dade County Office of the Inspector General hosted a successful virtual exchange with international delegates who are invited to the U.S. under the auspices of the Department of State’s International Visitor Leadership Program arranged by World Learning in coordination with Global Ties Miami. The objective for the project is to enhance understanding of ethical systems and accountability in government and business in the United States and illustrate the principles underlying transparency and accountability. Inspector General Felix Jimenez and Contract Oversight Specialist Terry Murphy highlighted mechanisms and shared principles that enable citizens to engage in fostering good governance at the local, state and federal levels with the main focus being transparency and accountability in Miami-Dade County.

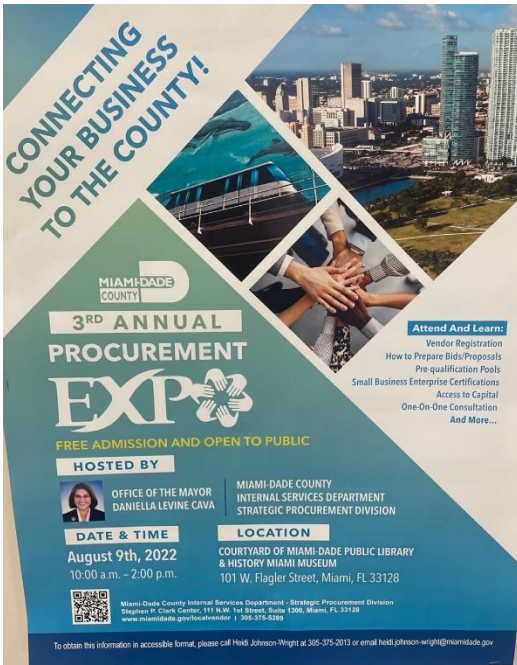
The Children’s Trust



On March 14th, 2022, Inspector General Felix Jimenez was invited to train the Children’s Trust Board members on topics such as abuse, waste, fraud detection and prevention, and a host of other matters of importance and interest to individuals serving as board members of The Children’s Trust. Mr. Jimenez also highlighted the work of the Office’s three distinct yet overlapping functions – audit, investigations and legal/contract oversight – rendering findings based on facts and evidence. The relationship between the Trust and the OIG was also discussed.

Mr. James Haj, President and CEO of The Children's Trust and Inspector General Mr. Felix Jimenez

3rd Annual Procurement Expo



The Office of the Inspector General’s Contract Oversight and Legal Units participated in the 3rd Annual Procurement EXPO sponsored by the Strategic Procurement Division (SPD) of the Internal Services Department. OIG personnel participated in training sessions held throughout the day and were available to answer questions from the vendor community. SPD sponsored this event to benefit small and local businesses throughout Miami-Dade County.



(left to right) Alfonso Ledo, Terry Murphy, Marie Perikles and Felix Jimenez

The mission was to share information on contracting opportunities with the County by hosting exhibitors from the procurement divisions of major departments. Training sessions during the EXPO provided vendors with free access to subject matter experts on best practices in the procurement process. The OIG looks forward to participating in future SPD forums.



III. MILESTONES

The Miami-Dade County Office of Inspector General welcomed both an Accreditation Team and a Peer Review Team into our office in 2022. Why do we go through these comprehensive, critical inspections? Because in our role as inspectors general, we believe our stakeholders have a right to know if we comply with our own standards.

Accreditation is the certification by an independent reviewing authority that an Office of Inspector General has met specific requirements and prescribed standards. An accreditation program has long been recognized as a means of maintaining the highest standards of professionalism. In the State of Florida, the Commission for Florida Law Enforcement Accreditation (CFA) is the designated accrediting body for law enforcement agencies and for Offices of Inspector General. Accreditation involves a thorough examination of an office’s policies and procedures, work product, investigations, supervision, personnel and training practices. Accreditation is primarily geared toward the investigative function. Once achieved, accreditation is good for three years.

A Peer Review is a voluntary process where the agency requesting a Peer Review opens itself up to a thorough examination of its policies and procedures, processes, documentation, workflow and impact on the community. The goal of the Peer Review is not just to assess how well an OIG is functioning, but to assess how well organizational processes and activities work toward maximizing operational efficiency and adherence to established quality standards.

Reaccreditation



In July of 2010, the Miami-Dade County Office of the Inspector General (OIG) was accredited by the Commission for Florida Law Enforcement Accreditation (CFA) pursuant to standards developed for the Florida inspector general community. Accreditation is valid for a three-year period. The OIG was reaccredited in 2013, 2016 and 2019. On April 12, 2022, Inspector General Felix Jimenez welcomed a team of assessors from the CFA to examine all aspects of the Miami-Dade County Office of the Inspector General’s investigative policies and procedures, management and operations. The OIG must maintain compliance with more than 42 standards in order to receive reaccreditation

status. As part of the on-site assessment, agency members and the general public are invited to offer comments to the assessment team.

The CFA Assessment Team consisted of Team Leader, Major Michael Meaney of the Florida Fish and Wildlife Conservation Commission, Office of the Inspector General and Team Member, Anthony Jackson, Deputy Director of Investigations, Florida Department of Transportation, Office of the Inspector General. After a comprehensive on-site assessment, the OIG was found to be in compliance with all mandatory CFA standards.

Peer Review

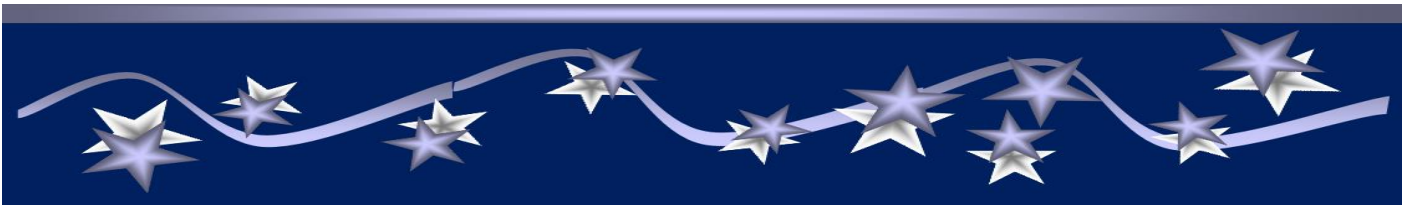
The Association of Inspectors General (AIG) conducted the triennial peer review of the Miami-Dade County Office of the Inspector General (MDOIG) in November 2022. The Peer Review Team (PRT) evaluated the work of the Audit Unit (AU), Contract Oversight Unit (COU), and Investigations Unit (IU) from October 1, 2019 through September 30, 2022. The PRT assessed the work of the AU for compliance with the Generally Accepted Government Auditing Standards (GAGAS) promulgated by the U. S. Government Accountability Office (GAO). The PRT also assessed the work of COU and IU for compliance with the AIG Principles and Standards for Offices of Inspector General, promulgated by the AIG. These standards are consistent with the qualitative standards under which these Units have operated throughout the peer review period.

The Peer Review Team consisted of four experienced professionals in their respective fields. The PRT consisted of the following four individuals:

Peer Review Team Lead	Erica D. Smith, Deputy Inspector General – Audit Division Jefferson Parish Office of Inspector General
Contract Oversight Unit Review	Flora T. Miller, Regional Investigator / Accreditation Manager Florida Department of Children & Families Office of Inspector General
Investigations Unit Review	Joanne M. Kraynak, Senior Internal Investigator (Retired) Florida Department of Revenue Office of Inspector General
Audit Unit Review	Ava Sadowska, Assistant Inspector General Pinellas County Clerk of the Circuit Court Division of Inspector General

The Peer Review Team conducted in-depth reviews of completed investigations, audits and contract oversight reports. They reviewed personnel files, scrutinized staff qualifications and examined training records. In addition, the Peer Review Team interviewed every member of the OIG staff as well as several stakeholders, both internal and external to the County.

It was a unanimous conclusion of the Peer Review Team that the Audit Unit, Contract Oversight Unit and Investigations Unit met all relevant AIG and/or GAO qualitative standards for the period under review.



Prosecutor of the Year

Assistant Legal Counsel Carol Jordan was recognized as the 2022 Prosecutor of the Year by the Florida Chapter of the International Association of Financial Crimes Investigators. After her distinguished service as an assistant state attorney, assistant chief state attorney, and task force liaison, Carol joined the OIG in 2001. Since then Carol has been sworn as a special designated assistant state attorney and has prosecuted some of the highest profile cases investigated by the OIG. Carol also provided guidance and legal oversight on numerous significant OIG administrative cases. Carol's meticulousness, determination and critical analytical skills have made this office what it is today. Congratulations Carol on a well-deserved award.



Ethical Governance Day

Inspector General Felix Jimenez, OIG Auditor Cristin Revilla, and Assistant Inspector General for Investigations Hector Ortiz participated in the Ethical Governance Day 2022. They spoke to senior high school students about the importance of good governance and about the OIG. Over 180 speakers participated in Ethical Governance Day 2022 and met with hundreds of students in over 60 high schools across Miami-Dade County.



(Nelson Bellido, Ethics Commission Board Member and Hector Ortiz, Assistant Inspector General for Investigations with Hialeah Miami Lakes High School Seniors)



IV. OPERATING BUDGET AND DELIVERABLES

SELECTED ITEM HIGHLIGHTS AND DETAILS

Line-Item Highlights	(dollars in thousands)				
	Actual	Actual	Budget	Projection	Budget
	FY 18-19	FY 19-20	FY 20-21	FY 20-21	FY 21-22
Advertising	0	0	0	0	0
Fuel	0	0	0	0	0
Overtime	0	0	0	0	0
Rent	0	0	0	0	0
Security Services	1	2	2	1	2
Temporary Services	0	0	0	0	0
Travel and Registration	35	52	52	18	30
Utilities	25	30	25	19	17

FY 2021 - 22 Adopted Budget and Multi-Year Capital Plan

OPERATING FINANCIAL SUMMARY

(dollars in thousands)	Actual FY 18-19	Actual FY 19-20	Budget FY 20-21	Adopted FY 21-22
Revenue Summary				
General Fund Countywide	721	1,631	862	2,177
Carryover	1,671	1,465	1,469	391
Departmental Oversight (MOUs)	866	778	977	1,032
Fees and Charges	4,438	4,874	4,066	4,050
Interest Earnings	62	27	0	0
Miscellaneous Revenues	33	11	0	0
Total Revenues	7,791	8,786	7,374	7,650
Operating Expenditures Summary				
Salary	4,672	4,967	5,381	5,442
Fringe Benefits	1,438	1,533	1,646	1,867
Court Costs	0	0	1	1
Contractual Services	0	0	2	2
Other Operating	124	109	209	207
Charges for County Services	59	78	76	72
Capital	33	35	59	59
Total Operating Expenditures	6,326	6,722	7,374	7,650
Non-Operating Expenditures Summary				
Transfers	0	0	0	0
Distribution of Funds In Trust	0	0	0	0
Debt Service	0	0	0	0
Depreciation, Amortizations and Depletion	0	0	0	0
Reserve	0	0	0	0
Total Non-Operating Expenditures	0	0	0	0

(dollars in thousands)	Total Funding		Total Positions	
	Budget FY 20-21	Adopted FY 21-22	Budget FY 20-21	Adopted FY 21-22
Expenditure By Program				
Strategic Area: General Government				
Inspector General	7,374	7,650	40	40
Total Operating Expenditures	7,374	7,650	40	40

FY 2021 - 22 Adopted Budget and Multi-Year Capital Plan

DIVISION: INSPECTOR GENERAL

The OIG's principal objective is to promote honesty and efficiency in government and to prevent and detect misconduct, fraud and abuse in County programs and contracts. The OIG strives to ensure that taxpayers get a fair and honest accounting of their money and, where possible, seeks appropriate remedies to recover public funds.

- Communicates the Office's accomplishments through report distribution, website communication and public awareness initiatives
- Investigates, audits and inspects programs, projects and contracts to detect and prevent fraud, mismanagement, waste and abuse
- Provides all professional support to these functions including publicly reporting findings
- Publicly reports findings and initiates or makes civil, administrative and criminal referrals where necessary

Key Department Measures, Strategic Objectives, and Resiliency Drivers

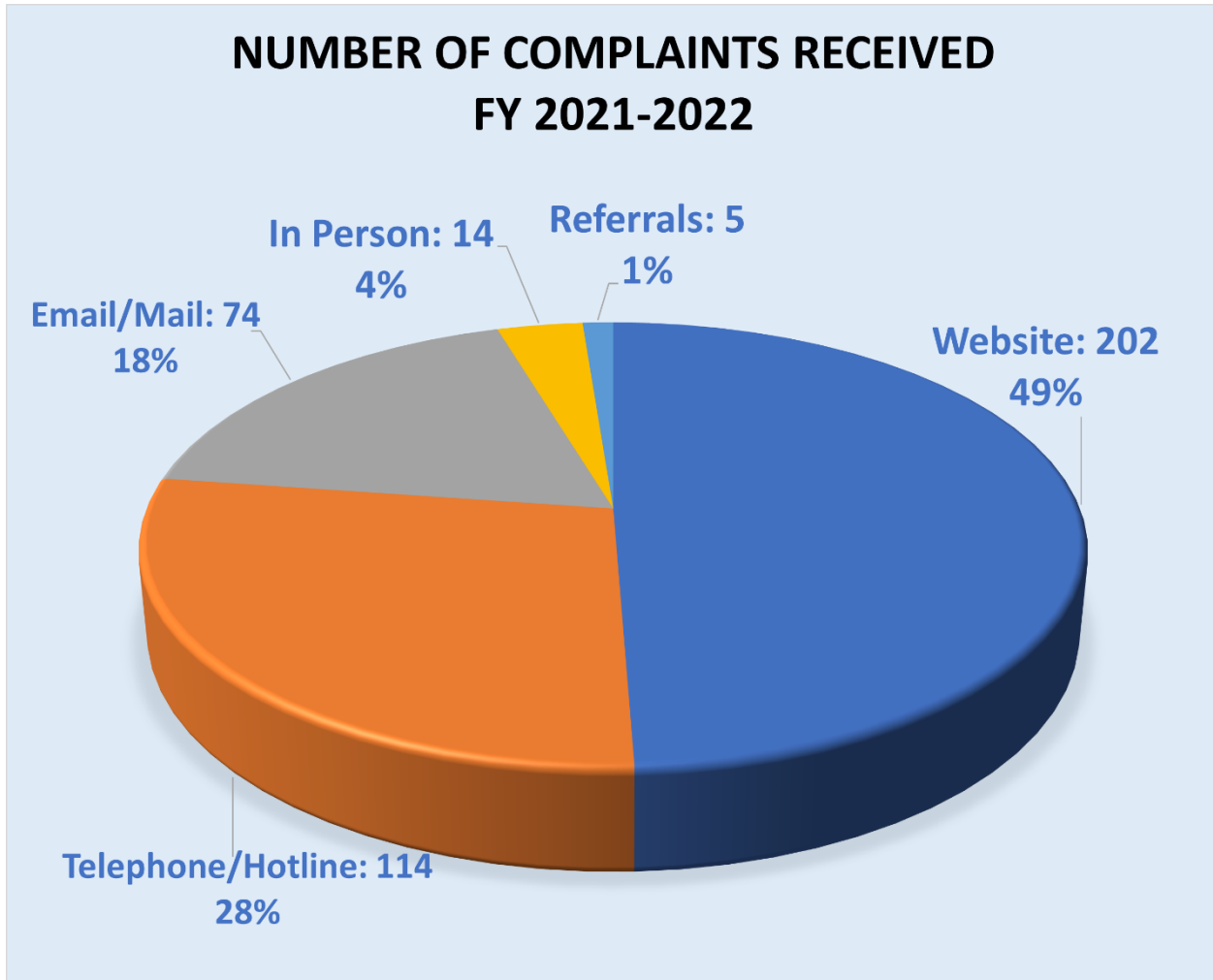
Measures	SO	RD	Type	Good	FY 18-19	FY 19-20	FY 20-21	FY 20-21	FY 21-22
					Actual	Actual	Budget	Projection	Target
Contracts/programs audited and reviewed*	GG1-2	LS-2	OP	↔	47	43	30	76	35
Reports issued**	GG1-2	LS-2	OP	↔	7	12	18	12	20
Advisory memoranda issued**	GG1-2	LS-2	OP	↔	22	18	20	18	22
Complaints received**	GG1-2	LS-2	IN	↔	312	296	300	272	300
Percentage of complainants receiving feedback about initial disposition of complaint within 30 days**	GG1-2	LS-2	OC	↑	95%	97%	98%	100%	95%

*FY 2020-21 Projection, which was revised from the FY 2021-22 Proposed Budget, includes auditing 46 emergency construction contracts awarded through the Miscellaneous Construction Contract 7040 and 7360 programs

**FY 2020-21 Projection revised from the FY 2021-22 Proposed Budget due to more up-to-date information

V. COMPLAINTS AND DISPOSITION OF COMPLAINTS

The Office received 409 complaints in Fiscal Year 2021-2022. Of these, 202 were made using our website's on-line complaint form, 114 were received through our Hotline, 74 by mail, 14 were received from individuals who came to the office and met with an investigator and 5 were referrals.



The majority of the complaints received, (48%) were assisted by our office and/or the complaint warranted no further action, 43%, were referred to appropriate County departments or other governmental agencies that could directly address the complaints and 9% of complaints resulted in Preliminary Inquiries, Investigations or are under review pending further information. The OIG requests responses for any action taken on the majority of complaints referred to County departments. Those responses are evaluated and the complaint may be closed, the OIG may seek further clarification or may initiate its own investigation.

VI. INVESTIGATIONS UNIT

The Investigation Unit works toward accomplishing the OIG’s mission by conducting investigations of fraud, waste, abuse, and misconduct related to County programs, operations, contracts, and employees. OIG Special Agents have a wide variety of experience from law enforcement and regulatory agencies. They are skilled in conducting investigations of white-collar crimes, financial fraud, and public corruption. The Investigations Unit coordinates with the Miami-Dade State Attorney’s Office, the United States Attorney’s Office, and other local, state, and federal law enforcement agencies to leverage resources and fraud-fighting efforts. The OIG is also a member of the Federal Bureau of Investigation’s (FBI) South Florida Public Corruption Task Force. Our investigations often lead to criminal cases, administrative reports with recommendations, and monetary recoveries.

The Analyst Unit directly supports investigations conducted by the Investigation Unit through intelligence gathering and analytical support. The OIG Investigative Analysts maintain relationships with organizations such as the Florida Department of Law Enforcement and the Financial Institution Security Association to keep current on the latest investigative and analytical skills. In addition, the Analyst Unit conducts State of Florida criminal history background checks on advisory board nominees. The Miami-Dade County Board of County Commissioners has created 105 advisory boards comprised of volunteers nominated by individual commissioners. As part of the appointment process, the OIG Analyst Unit conducts the background checks on the nominees. In 2022, 83 criminal history background checks were conducted. In addition, the OIG Analyst Unit manages the OIG Hotline that allows the public, stakeholders, and others to report suspected corruption, fraud, waste, and abuse.

A. ARRESTS, PROSECUTIONS, AND SENTENCINGS

Trio Arrested for Racketeering in a Scheme to Fraudulently Obtain County Grants

An OIG joint investigation with the State Attorney’s Office resulted in the arrest and charges of Racketeering, Organized Fraud, Theft, and Identity Theft of a commissioner’s former chief of staff, a commissioner’s aide, and a bank branch manager. The trio engaged in various schemes to defraud the County while enriching themselves. One of their schemes involved causing the fraudulent award of the commissioner’s discretionary grant funds and then misappropriating the monies. To carry out the fraud, the trio exploited legitimate charitable organizations and used the stolen identities of friends and acquaintances. In one scheme, using their position as public servants, the commissioner’s former chief of staff, and the staff member, with the assistance of their friend, who was a bank branch manager, manipulated County processes to illegally obtain two (2) homes and a vehicle from County surplus property. In another scheme, the trio embezzled funds through the fraudulent use of County credit cards. They also used the goodwill of the County and the Commission to solicit and obtain donations from members of the community; the donated funds were diverted by the trio to benefit themselves and others. The OIG investigation found that between 2015 and 2021, the trio stole over \$600,000 in County property and funds. The criminal case is currently pending trial.

Elected Official Charged with Accepting Cash from Former Business Partner to Rewrite County Ordinance



Another joint OIG investigation with the State Attorney's Office, resulted in the arrest of an elected commissioner. The investigation was predicated on a complaint alleging the elected official received payments from a county vendor and failed to disclose the income as required by the State.

The scope of the investigation widened when the OIG discovered that other checks, specifically from a former business partner, were paid to the elected official while in office. The investigation found that the commissioner's former client and another business paid the commissioner three checks totaling \$15,000, and the commissioner proposed legislation that would ease restrictions on their business. The drafted legislation was later withdrawn by the commissioner. The elected official was suspended by the governor and is pending trial.

Former Court Clerk Charged with Stealing Over \$100,000 in Filing Fees and Money Bags

A Clerk of Courts (COC) Family Court New Suits Section acting supervisor was arrested following an OIG and State Attorney's Office investigation. The case was referred to the OIG by the COC based on an internal audit identifying the potential theft.

The OIG learned that the COC acting supervisor assisted clerks by helping customers file new lawsuits. The filings require COC employees to create the official court file, input the filing fees collected into a financial database, and provide the customer with a receipt. The COC acting supervisor was also responsible for reconciling the day's collection and preparing the bank deposits. The investigation discovered the COC acting supervisor pocketed the filing fees paid in cash, never entered the fees into the financial database, and gave customers fake receipts. The investigation found the acting supervisor stole more than 200 filing fees totaling over \$80,000, and four bank deposit bags containing \$28,000. The COC acting supervisor was arrested and charged with Grand Theft over \$100,000 (1st Degree Felony) and Organized Scheme to Defraud over \$50,000 (1st Degree Felony).

The COC has since changed its daily fee reconciliation processes to include running additional reports at the end of each workday to ensure that a receipt is generated for each transaction and the proper amount of fees collected. A second-level verification of the daily bank deposit amounts and an additional verification of the actual bank deposit have also been implemented.

Construction Company Given A 5-Year Order of Debarment After Its Owner and Office Manager Plea Guilty



An OIG investigation conducted jointly with the State Attorney's Office at the request of the Small Business Division of the Internal Services Department (SBD/ISD) and the Department of Transportation and Public Works (DTPW) resulted in the arrest, prosecution, and sentence of the owner of a construction company serving as the prime contractor on two Miami-Dade County projects. The company was also charged and sentenced.

The contractor was involved in a \$10.5 million construction contract of a parking garage, and a \$3.8 million Metrorail station pedestrian overpass project. Both projects required the company to obtain certain builder's liability insurance that would be reimbursed by the County. The investigation determined that invoices, receipts, and other documentation submitted to the County pertaining to the required insurance coverage were forged and fraudulently prepared. The company usurped the identity of a legitimate insurance agency and presented the fraudulent documentation as genuine invoices. Fraudulent receipts were also prepared and submitted to the County as a means of seeking reimbursement.

The investigation concluded with the arrest of the company's owner and office manager. The construction company was also served with a corporate summons and charged. The charges included Organized Scheme to Defraud, Criminal Use of Personal Identification, and Uttering a Forged Instrument. The company's owner and office manager both pled guilty to one count of Fraudulent Alteration of Credit Card Invoices. The owner was sentenced to six (6) months house arrest followed by six (6) months' probation. The office manager was sentenced to twelve (12) months' probation.

The company was placed on probation for five years. The Court also sentenced the company to a 5-year Order of Debarment prohibiting the company's owner from contracting or otherwise doing business with Miami-Dade County. In addition, the owner paid over \$50,000 in restitution to Miami-Dade County and costs of investigation to the OIG.

Children's Trust Grant Recipient Pled Guilty to Fraud Charges



The program director of a Children's Trust (Trust) grant recipient pled guilty to Organized Scheme to Defraud and Wire Fraud concluding the OIG's joint investigation with the State Attorney's Office first reported last year. The OIG initiated the investigation based on a referral from the Trust. Established by statute and County referendum, the Trust provides over 125 million dollars in reimbursement grants annually for community-based, youth program service providers. Miami-Dade County property owners fund the Trust through a portion of property taxes to provide services for children in the community.

The grant recipient ran an after school and martial arts program that received over \$300,000 in annual grants for over 12 years from the Trust. The OIG investigation found the company used a variety of schemes, including submitting invoices for reimbursement of ghost students and employees, as well as false expenses for goods and services to defraud the Trust. The program director and the corporation were adjudicated guilty. The director was sentenced to 10 years' probation, paid \$180,000 in restitution to the Trust, and was debarred from contracting with Miami-Dade County for a period of 5 years. The corporation was permanently dissolved by order of the Court.

OIG Investigations Unit Locates Fugitive Who Fled Justice in 2017 Leading to His Arrest

WANTED!
IN CUSTODY

An OIG investigation for which arrest warrants were issued in 2017, concluded with the arrest of a defendant who had evaded justice for four (4) years. The OIG investigation, conducted in partnership with the Miami-Dade Police Department and the State Attorney's Office, resulted in the issuance of warrants for seven (7) individuals on a wide range of felonies in connection with a fraud using the Clerk of Courts and County Recorder's Office.

Claiming that a County employee could facilitate and fast-track the sale of real estate prior to the scheduled public auctions of properties to satisfy tax certificate holders, victims were lured into fraudulent deals that resulted in losses exceeding \$2.4 million. The OIG investigation determined that no County employee was involved in the scheme. Six (6) of the subjects were arrested in 2017, pled guilty and were sentenced. The final subject fled justice and remained on the lam for four (4) years. The OIG developed intelligence that led to the subject's whereabouts and ultimately to the fugitive's arrest. The subject pled guilty to Organized Scheme to Defraud, Recording False Document Affecting Title to Real Property, Grand Theft, and Fraudulent Use of Personal Identification of a Deceased Person. The subject was sentenced to two (2) years of community control and ten (10) years' probation.

B. INVESTIGATIONS RESULTING IN IMPROVEMENTS, MODIFICATIONS AND REFORMS

Unauthorized Roofing Inspections Approved by Contracted RER Roofing Inspector



The OIG initiated an investigation against a former contracted Miami-Dade County (County) Department of Regulatory and Economic Resources (RER) employee. RER contracted the employee as a roofing inspector to alleviate the volume of inspections following a hurricane. The investigation was referred to the OIG by RER upon discovering that the contracted employee had not been following RER's general roofing inspection procedures. RER's internal review determined that some of the suspect inspections

were for the same roofing company. The OIG investigation focused on examining if there existed a relationship between the employee and the roofing company identified as a common factor in the unauthorized inspections. The OIG investigation also reviewed RER's conclusion that the contracted employee conducted and/or approved unassigned roofing inspections, without authorization from his supervisor, and contrary to RER's general inspection procedures.

The existence of a business relationship between the employee and the roofing company before, during, and after the contracted employment with RER was substantiated. The investigation did not show that the contract employee received any financial or other benefit from the roofing company for doing the unassigned inspections. However, the OIG found the relationship did create a potential conflict of interest. In addition, the requirement to disclose any impairments and/or conflicting business or personal relationship(s) with a contractor whose work may be inspected, did not apply to the contracted employee as he was not a full-time County employee, and the contract did not impose such requirements.

During the investigation the OIG also reviewed RER's policies, procedures, and practices, premised on the Florida Building Code (FBC). Specifically, the OIG reviewed the policy requiring inspectors to conduct visual and physical inspections of roofs, and the exceptions provided; and RER's adopted Alternative Roofing Procedures providing direction on alternatives to visual and physical inspections.

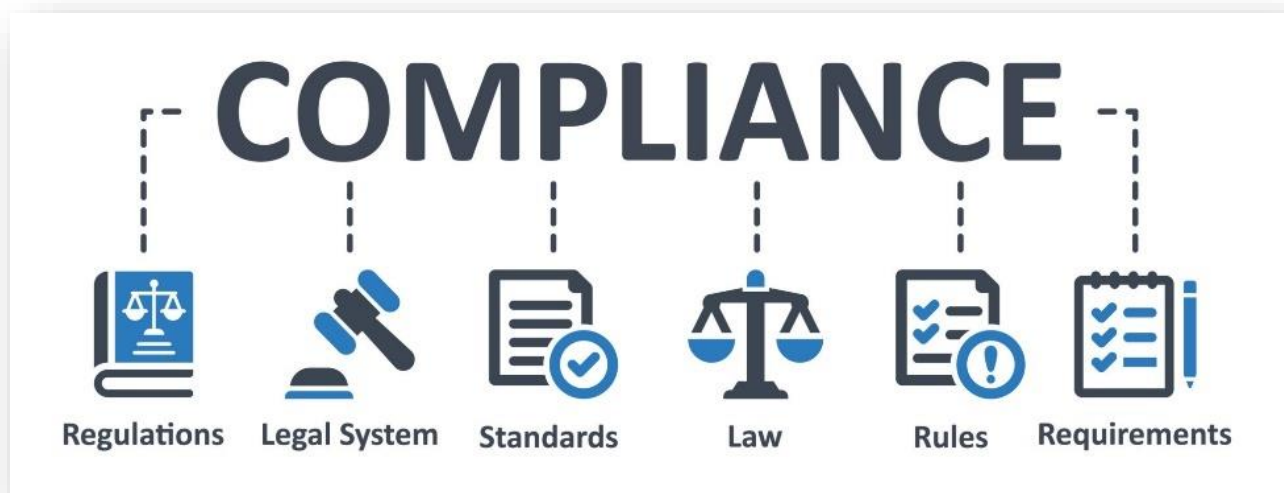
The report included two recommendations to RER, one of which has been implemented. RER will require that any individual contracted have County Ethics Code training and require continuous evaluation and disclosure of any outside non-County employment. In addition, RER will add language to work orders requiring that vendors providing contract employees disclose any open permits and active design work. Finally, RER provided a thorough explanation as to why the department cannot implement the OIG's second recommendation concerning the acceptance of photographs and engineering reports during the inspection process.

City of Hialeah Circumvented DERM Regulations by Issuing Temporary Tax Licenses to Businesses

The Bureau Chief of the County’s Division of Environmental Resources Management (DERM) requested the OIG investigate information reported by the Director of Public Works for the City of Hialeah. The city’s Director self-reported that city tax officials had authorized the issuance of 98 business licenses without first securing DERM permit approvals, as required under Chapter 24 of the Code of Miami Dade County and in violation of the Federal Consent Decree between the County, the U.S. Environmental Protection Agency, and the Florida Department of Environmental Protection.

The OIG’s investigation confirmed that starting in 2016 through mid-2019, the city’s Business Tax Division (HBTD) implemented a plan to bypass DERM regulations and allowed businesses, such as restaurants, automotive paint and body shops, and cabinetry manufacturers, to operate without securing a DERM permit. The OIG investigation discovered it was the HBTD’s Administrator who misapplied a section of the city’s fire code, not applicable by virtue of its language or intent, as the basis for issuing licenses without the requisite DERM permit approvals. The OIG investigation found the licensees were required to pay an upfront initial fee that was three times the cost of the annual license fee; and every 90-days thereafter would have to pay the annual cost of the Business Tax License to continue to operate. The OIG presented the case to the United States Attorney’s Office for the Southern District of Florida and to the State Attorney’s Office. Prosecution was declined by both offices.

DERM entered into a Consent Agreement with the city that identified the non-compliance issues and created timetables for corrective actions. The city has substantially complied with the corrective actions, repealed the misapplied code section, and returned all monies paid by the affected business owners.



Park Camp Manager Failed to Report Employee for Inappropriate Contact with Children



The OIG initiated an investigation addressing whether the County’s Parks, Recreation and Open Spaces (PROS) department failed to properly investigate and document allegations of inappropriate contact with children by a former PROS employee. The potential criminal allegations were referred to the Special Victims Unit of the Miami-

Dade Police Department for criminal investigation.

The OIG investigation found that while the PROS camp manager did not handle the matter appropriately, upper management at PROS did not neglect to address the allegations. PROS upper management timely investigated the matter and advised the employee he would be disciplined and likely terminated at which point he resigned. PROS upper management also disciplined the camp manager for failure to act.

PROS has revised its internal policies and procedures to ensure employees are aware of their responsibilities regarding allegations of potential child abuse. The criminal case was closed without charges against the former PROS employee.

C. OTHER INVESTIGATIONS UNIT CASES AND REVIEWS

Investigation Uncovers Violations with Outside Employment Policies

The OIG received an anonymous complaint alleging that a Section Chief with the Miami-Dade County Internal Services Department had prohibited conflicts between his official duties and his private, personal business interests. The OIG investigation found that the Section Chief had at least an appearance of a conflict of interest with his County duties and failed to request authorization for outside employment for three active companies that he was involved with, as mandated by Section 2-11 of the County Code and Administrative Order (AO) 7-1. The Section Chief also failed to file Outside Employment Statements with the Department of Elections for all three companies as required by Section 2-11.1(k)(2) of the County Code. The matter was referred to the Miami-Dade Commission on Ethics & Public Trust, where the Section Chief stipulated to a finding of probable cause and paid a \$500 fine.

Falsification of Job Resume by MDAD Employee



The Miami-Dade Aviation Department's (MDAD's) Professional Compliance (PC) and Human Resources (HR) Sections requested the OIG investigate the authenticity of documents submitted by an employee for a position at MDAD. The employee, an Airport Purchasing Specialist with MDAD's Commodities Management Office applied for a new position as a Technical Services Planner. As part of the application, she

submitted a resume and documents from a previous employer to substantiate her work experience and qualify for the position. Although the employee's previous employer had sold the business, the OIG investigation located and contacted key management officers including the original owner and chief executive officer.

The OIG investigation substantiated that the employee provided misleading and erroneous information in the submitted resume to meet the required job qualifications set by MDAD. The investigation revealed the documents submitted to MDAD purporting to be from her previous employer were fraudulent. MDAD initiated disciplinary proceedings against the employee who then resigned.

Investigation Dispels Allegation That Vendor Provided Used TVs to Miami International Airport

The OIG investigated allegations from an anonymous complainant that the Miami Dade Aviation Department (MDAD) was receiving refurbished, instead of new, television sets (TVs) from one of its pre-approved pool vendors.

Audio-visual equipment at MDAD is procured through a pre-qualified pool of vendors established under a Miami-Dade County Pool Contract. County departments solicit quotations from the pre-qualified pool on an as-needed basis. The OIG conducted interviews and reviewed MDAD emails, requisitions, purchase orders, and procurement documents from the MDAD Commodities Management Division and MDAD Telecommunications Unit. The OIG was able to identify the vendor and the TVs in question.

The OIG also conducted interviews with personnel from the pre-qualified vendor, the TV manufacturer, and its authorized distributor. The OIG reviewed the procurement documents for the questioned TVs and matched the information with the manufacturer's records, confirming the origin and status of the TVs. The OIG's investigation determined that the TVs purchased for Miami International Airport were new and were under warranty.

OIG Finds MDAD Property Manager Had Unauthorized Outside Employment During Investigation of Alleged Conflict of Interest

The OIG investigated an anonymous complaint alleging that a Miami-Dade Aviation Department (MDAD) employee responsible for overseeing the lease agreement between MDAD and a specific airline was also serving as an officer of that airline. The OIG investigation found that the MDAD employee identified in the complaint, was not the same person identified as a registered agent and officer of the airline. The MDAD employee and the airline employee are different individuals that share the same first and last name but have different middle names.

Although not part of the original complaint, the OIG investigation did find that the MDAD employee was a corporate officer for two companies: one a baby products corporation and the other a company that sells crafts and trinkets. The investigation revealed that the employee had not filed requests for outside employment until after the OIG investigation brought the matter to her attention, nor filed the end of year outside employment financial statements. The matter was referred to the Miami-Dade Commission on Ethics and Public Trust and the MDAD Director for their review and action.



VII. AUDIT UNIT

The OIG Audit Unit's primary objective is to support the overall OIG mission, by conducting audits, inspections and evaluations to detect fraud, waste, and mismanagement. Audit engagements generally conclude with the issuance of a Final Audit Report that provide the OIG's findings, observations, and recommendations involving the audited subject matter. The Final Report also include the auditee's response to those findings and recommendations. When questioned costs, opportunities for savings, and other financial impacts are uncovered, OIG auditors will make targeted recommendations to mitigate identified risks and recover public monies as appropriate. Most importantly, the OIG Audit Unit follows up with the County entities responsible for implementing those recommendations to ensure that noted deficiencies and adverse conditions have been properly addressed.

Most of the audits performed are derived from complaints received by the OIG or initiated at the direction of the OIG Executive Team when, in the course of other oversight work performed by the OIG, an area of interest or concern is discovered warranting an in-depth audit of the subject. The OIG's audit authority is guided by Section 2-1076(d)(6) of the Code of Miami-Dade County that enables the OIG to conduct random audits of county contracts. The Audit Unit also assists other OIG units by providing financial, accounting, or analytical research as needed.

The Audit Unit conforms with the Association of Inspectors General (AIG) Principles and Standards for Offices of Inspector General (Green Book) and the Generally Accepted Government Auditing Standards (GAGAS aka Yellow Book). The Association of Inspectors General conducted its most recent Peer Review of our office in October 2022, to determine compliance with the Green Book and the Yellow Book. The peer review was passed satisfactorily, meeting all relevant qualitative standards for the period under review.

The Audit Unit is presently comprised of two supervisors and four auditors under the direction of the Deputy Inspector General. The team is a diverse group of individuals with various backgrounds, and all members, including the Deputy Inspector General, hold the AIG's Certified Inspector General Auditor designation. Additional designations held by Audit Unit members include that of Certified Public Accountant, Certified Fraud Examiner, Certified Internal Auditor, Certified Construction Auditor, Certified Risk Management Assurance Auditor, Certified Government Auditing Professional, as well as a Certified Government Financial Manager.

Summaries of our reports issued in Fiscal Year 2021-2022 are noted in the following pages.

A. REVIEW OF POOL CONTRACTS

One of the main purposes for establishing pool contracts is to make the process for buying regularly accessed items or services simpler and faster to procure. Pools also provide more contracting opportunities to a larger number of firms; and, based on the estimated value of the procurement, pools allow for sheltered contracting opportunities to certified small business enterprises (SBEs). In past years, the OIG conducted audits of pool contracts for various goods and services that were accessed by multiple departments. In 2022, the OIG audited and reported on one of the largest pool contracts established by Miami-Dade County—the Miscellaneous Construction Contracts (MCC) Program. Departments are able to access the MCC’s pools to award construction contracts up to \$5 million without having to go before the Board of County Commissioners (BCC).

The MCC Program 7040 and 7360 Plans

The OIG Audit Unit has initiated several audits involving the MCC Program. The MCC Program was historically administered as two separate renewable contracts to competitively bid smaller construction projects. In November 2009, the BCC, via passage of Ordinance No. 09-101, codified the contracts into a permanent program establishing a procurement vehicle to expedite construction contracting and to further enhance contracting opportunities for certified Small Business Enterprise (SBE) – Construction firms. Projects valued up to \$5 million may be procured through the MCC Program.

The MCC Program comprises of the 7040 Plan and the 7360 Plan. The 7040 Plan is a 100% set-aside pool for SBE construction firms. The 7360 Plan is an open non-restricted pool for all construction firms that can be used when funding sources prohibit procurement restrictions, such as set-asides, or when there are not sufficient firms available in the 7040 Plan. The Small Business Development Division (SBD), a division of the Internal Services Department (ISD), is responsible for promoting and administering the MCC Program. County Code Section 2-8.2.7.01 and Section 10-33.02,¹ as well as Implementing Order 3-53, establish the guidelines and requirements for the overall MCC Program.

The MCC Program works as a pool contract where pre-qualified contractors—whether they be general contractors or trade-specific contractors—bid on construction projects. County departments accessing either the 7040 or 7360 plans solicit bids via Requests for Price Quotes. The MCC Program is the primary contracting vehicle to award contracts for new construction, renovations, repairs, and maintenance projects with a maximum value of up to \$5 million. MCC Program construction projects are tracked using the County’s Capital Improvement Information System (CIIS).

Emergency contracts may also be awarded through the MCC Program. The 7040 and 7360 Plans each contain an Emergency Response Team (ERT) Pool that can be accessed on an emergency basis when there are unforeseen, unanticipated, or urgent construction service

¹ County Code Section 10-33.02 establishes the Small Business Enterprise Construction Services Program and sets forth the requirements for construction firms seeking SBE certification.

needs where the protection of life, health, safety, and welfare of the community or preservation of public property would not be possible using any of the County’s standard contracting methods. Once an emergency request has been identified and approved, the department contacts and subsequently awards the project to an ERT Pool contractor in CIIS in accordance with SBD’s Contractor Rotational Policy, which requires that departments accessing the pool to contact and award the emergency project to the next available contractor in the ERT rotation.

This past year the OIG issued two audit reports of the County’s Miscellaneous Construction Contracts Emergency Response Team Pool. These audits involved the Miami-Dade Fire Rescue Department (MDFR) and the Miami-Dade Public Housing and Community Development Department (PHCD). Both audits examined the departments’ utilization of the MCC ERT Pool for emergency construction projects. A third, more encompassing audit of the County’s Parks, Recreation and Open Spaces (PROS) Department’s utilization of the MCC Program is in progress. We anticipate that the PROS audit will be completed in early 2023.

Audit of Miami-Dade Fire Rescue Department’s Utilization of the MCC Emergency Response Team Pool for Emergency Construction Projects



In May 2022, the OIG issued a [final audit report](#) involving MDFR’s use of the ERT Pool. Specifically, the OIG examined MDFR’s justification for using the ERT Pool, its adherence to the ERT rotational policy, and its compliance with the County’s Prompt Payment Policy. The audit also focused on SBD’s monitoring of the ERT Pool for departmental compliance. This audit resulted in three observations and five recommendations (three directed to MDFR and two to SBD).

The first observation noted the absence of the CIIS rotational list in two MDFR project files to demonstrate compliance with the ERT rotational policy. The remaining 11 project files reviewed included a copy of the CIIS rotation list and was supported by contractor communications and project award records. While the inclusion of the CIIS rotation list in the project files is not a Program requirement, it is the most authoritative document that can demonstrate that the rotational policy was adhered to.

The OIG recommended that MDFR procurement staff should consistently maintain proof that the ERT rotational policy was adhered to by contacting contractors in the order listed in CIIS. MDFR agreed with our recommendation and added that it will ensure that every project file will document the CIIS rotational list to demonstrate that the ERT rotational policy was adhered to. The OIG also recommended that SBD incorporate the CIIS rotation list as part of its training documents and

require that departments maintain the printed list in all project files. SBD agreed with our recommendation and advised that it has updated its MCC training document to include the requirements for departments to print the CIIS rotational list as part of the project files. SBD further stated that the MCC training document will be provided to all user departments and will be posted on the Policies and Procedures section of the CIIS system.

The second observation involved MDFR's ERT quotation practices concerning the time allotted for contractors to respond to a Request for Price Quote. IO 3-53 provides that contractors wishing to participate in the Pool must "respond to the user department's emergency call within two (2) hours of the call, by communicating with a live person from said user department." In four of the 13 project files reviewed, OIG auditors noted that MDFR did not afford the contractor two hours to respond before contacting the next contractor on the list. The OIG is aware of the emergency nature of these repairs, however, there is a disconnect between the IO 3-53 wording and actual practice.

The OIG recommended that MDFR augment its project file by noting why a limited response time was necessary. MDFR replied that it will include contractor response time based on each specific emergency and will draft procedures for time limit responses from emergency contractors. Additionally, the OIG recommended that SBD seek guidance from the County Attorney's Office to determine whether the IO should be amended to address the timeliness of a contractor's response. SBD responded that it conferred with the County Attorney's Office who advised that such changes are an administrative decision. SBD advised that it will not make changes to the IO at this time; however, it will add additional language to the MCC training document advising departments to reemphasize the requirement of the two-hour response time as noted in the IO.

The third observation addressed MDFR's noncompliance with the County's Prompt Payment Policy, which requires payment to SBE contractors be within 14 days of receipt of the invoice on amounts not in dispute. OIG auditors noted that only five of the 13 projects reviewed were paid within 14 days. The remaining eight projects were paid between 15 and 44 days. The OIG recommended that MDFR identify steps in the payment processing workflow that can be completed more quickly to meet the 14-day turnaround time.

MDFR responded positively to the recommendations noting that it works closely with the County's Internal Services Department's Risk Management and the County's Finance Department and will look for opportunities to create efficiencies in expediting the payment process.

Audit of Miami-Dade Public Housing and Community Development’s Utilization of the MCC Emergency Response Team Pool for Emergency Construction Projects



The audit, completed in September 2022, also focused on PHCD’s utilization of the ERT Pool. We selected PHCD for audit as it was, by far, the largest user of the ERT Pool. For the time period selected for audit, it had five times the number of emergency awards over the second highest department. Similar to our audit of MDRF, we reviewed PHCD’s justification for using the ERT Pool, its adherence to the ERT rotational policy,

and its compliance with the County’s Prompt Payment Policy. The audit also focused on SBD’s monitoring of the ERT Pool for departmental compliance. [The report contained four findings and six recommendations](#), all of which have been accepted by PHCD and SBD.

Finding 1 involved the lack of documentation in the project files demonstrating compliance with the ERT rotational policy. Nearly half of the 33 PHCD project files tested had no supporting documentation. The other half had a copy of the CIIS rotation list in the file. The OIG made the same recommendation to PHCD and SBD as we made in our MDRF audit.

Finding 2 addressed PHCD’s failure to timely notify SBD of the emergency awards within five days of the contractor agreeing to perform the work as required by IO 3-53. Timely notification to SBD is important as SBD adjusts the contractor’s placement on the rotation list based on the emergency work awarded. The audit showed that only two of the 33 sampled ERT projects were reported timely to SBD. The remaining emergency awards were reported between 20 and 305 days after the award. This deficiency occurred due to PHCD’s practice of waiting for the contractor to submit an invoice for the work completed before contacting SBD. PHCD advised that it addressed this finding with all staff that utilizes the MCC Program and that going forward notifications of the selected contractor will be timely made to SBD.

Finding 3 addressed PHCD’s failure to report non-responding contractors to SBD for possible suspension from the ERT Pool. PHCD explained that several contractors refuse to take on PHCD work for a variety of reasons, one of which involves PHCD’s chronic late payments. As such, PHCD chooses not to report these firms to SBD. Notwithstanding some contractors’ hesitancy to take on PHCD emergency repairs, PHCD’s non-compliance with the IO’s reporting requirements impacts the integrity of the ERT Pool. The audit report emphasized that in true emergencies, departments should not have to spend valuable time attempting to contact firms unwilling to take on the work. Departments should be able to count on those contractors that have asked to participate in the ERT Pool to respond to emergencies.

The OIG learned that several years ago, SBD encouraged PHCD to establish dedicated pools of contractors for the specific trades most needed by PHCD; however, it was also learned that this effort was never completed. The OIG strongly recommended that PHCD re-initiate discussions with SBD to develop these dedicated ERT Pools for PHCD’s most needed emergency repairs. PHCD, in response to this recommendation, stated that it will coordinate with ISD to develop these dedicated pools. PHCD recognizes that creating these pools will facilitate timely responses to its most frequent emergency repairs and mitigate payment delay issues. In its response, PHCD advised that it has already reached out to SBD/ISD to coordinate training and process improvements as well as ensure continuous communication with SBD so that concerns brought forth by contractors continue to be remedied as well as to further develop the necessary tools for PHCD to meet the needs of the families served.

PHCD further added that it will reemphasize to staff the importance of reporting non-responding contractors. As part of the process of documentation, PHCD stated that it will incorporate a data collection method to obtain reasons why contractors refuse to accept emergency contracts with PHCD. This information will be beneficial to PHCD and ISD/SBD.

Finding 4 concluded that PHCD did not comply with the County’s Prompt Payment Policy, which requires payment to SBE contractors within 14 days of receipt of the invoice on amounts not in dispute for services procured from the 7040 Plan. (Payments to SBE-certified contractors for work procured under the 7360 Plan must be made within 30 days.) For the 7040 Plan, the audit identified payment delays ranging from 29 to 619 days, i.e. approximately 20 months late. Payments to SBEs under the 7360 Plan were paid within the 30-day requirement.

The OIG recommended that whether by centralizing the receipt and payment of invoices or by streamlining and expediting the invoice workflow, PHCD must find a way to pay contractor invoices timely. The OIG strongly recommended that PHCD identify steps in the payment processing workflow that can be completed more quickly in order to meet the 14-day turnaround time required of the County’s Prompt Payment Policy. The OIG also requested that PHCD, in response to this particular recommendation, describe what action(s) it will take to reduce the time it takes to pay contractor invoices.

PHCD responded that the over-arching issue impacting timely payment is the volume of emergencies being handled as an agency on a weekly basis, as well as all the other invoices it must process monthly. According to PHCD, compliance with the 14-day prompt payment policy is an administrative burden. PHCD stated, however, that it will retrain staff regarding the importance of processing invoices timely and will also stress in the retraining the importance of documenting when the work performed is completed and accepted to ensure accurate dates are used when calculating the 14-day requirement.

The OIG will be following up with PHCD to assess its progress in implementing the recommendations and expediting payment to contractors.

From PHCD’s Response to the OIG Draft Report
PHCD will ensure continuous communication with SBD so that concerns brought forth by contractors continue to be remedied but also further develop the necessary tools for PHCD to meet the needs of the families served.

B. FOLLOW-UP ACTIVITIES

Diligent follow-up is key to successful oversight. The work of the OIG does not end once a report is finalized and issued. It is only after the report is issued that the real work of reform, through implementation of recommendations and change, begins. The OIG actively monitors the Administration's implementation of our recommendations. These follow-up oversight efforts may involve attending key status meetings, site verifications and physical observations, and requesting additional information, including proofs demonstrating compliance. The OIG adheres to Government Auditing Standards promulgated by the Comptroller General of the United States commonly known as "Yellow Book" standards. Chapter eight of the standards require auditors to evaluate whether an entity has taken measures to address the findings and recommendations from prior audits.

The below summaries detail our follow-up activities on two extensive audits completed in the prior fiscal year.

Status Report Received from the Department of Transportation and Public Works (DTPW) Regarding Contract No. 5745-2/14-2:2 Bus Parts and Repair Services for Transit Buses

In March 2022, the OIG received [a status report from the Department of Transportation and Public Works \(DTPW\)](#) regarding its implementation of the OIG's recommendations articulated in our audit of Contract No. 5745-2/14-2:2 Bus Parts and Repair Services for Transit Buses. Seven months earlier, we issued an audit report that tested DTPW's compliance with the contract terms and conditions, the contract's roadmap, its maintenance of purchasing records identifying criteria used to select the pre-qualified firms; the types of items ordered, or services rendered; and that payment reflected shipment received or services performed. The audit resulted in four findings and three recommendations and questioned costs of \$876,175.

In its status report to the OIG, DTPW addressed the recommendations with the creation of the Bus Maintenance Request for Service Form, which captures the diagnosis, services to be performed, consideration of warranties and OEM parts, and in-house repair capabilities. This document will also provide guidance to the Procurement Specialist in soliciting competitive quotes or sole-source repairs. Additionally, DTPW developed the Goods and Service Checklist to document all the necessary steps of the contract roadmap were followed. DTPW further indicated that staff was trained to ensure proper completion of the forms, as well as to ensure that all future purchase orders are specific.

From DTPW's Post-Audit Status Report to the OIG

The DTPW Quality Assurance Division will be responsible for auditing each of the items mentioned in this memo to confirm implementation of the proposed action plans. The DTPW would like to thank [the OIG] for the opportunity to address the audit report would like to thank your staff for their thoroughness exhibited throughout the audit process.

County's Capital Improvements Information System (CIIS) database. Both the 7040 Plan and 7360 Plan have ERTs to allow for emergency awards.

Currently, the OIG has initiated audits at three County departments to evaluate their compliance with the MCC Program's procurement requirements. At present, the OIG has nearly completed its review of the Public Housing and Community Development Department's and Fire Rescue Department's utilization of the MCC Program ERT for emergency projects. These two audit reports will be issued in 2022. A third more encompassing audit of the Parks, Recreation and Open Spaces Department's accessing of the 7040 and 7360 Plans, as well as the ERT has just commenced. Audits at additional departments may be initiated.

Follow-Up Response to OIG's Audit of Contract No. 8757-1/18-1, Electrical and Electronic Tools, Parts, And Supplies



In February 2022, the OIG concluded our audit of Contract 8757-1/18-1, Electrical and Electronic Components, Tools, Parts, and Supplies after receiving [a status report from the Internal Services Department](#) addressing recommendations resulting from the audit.

The audit, completed in March 2021, focused on four county departments and their access, utilization, and compliance with the contract roadmap and adherence to the Small Business Enterprise guidelines. This contract was a pool contract that was accessed by more than 20 departments during the contract's term. The audit resulted in two observations and two recommendations.

The observations noted common issues across the four departments. The OIG recommendations urged additional trainings offered by ISD to ensure compliance with county contract requirement, the appropriate use of blanket purchase orders, and for ISD to provide guidance and training on the Collusion Affidavit and its procurement requirements. ISD's status report demonstrated that favorable actions have been taken to implement the OIG's recommendations. Most notably, ISD created a new Non-Collusion Affidavit and noted that the form would be rolled out countywide to all procurement staff to align with best procurement practices.

C. OTHER ONGOING AND FUTURE AUDITS

In addition to the aforementioned MCC audit involving PROS, the OIG's Audit Unit has been conducting a review of DTPW's utilization of Construction Engineering and Inspection (CEI) Services agreements. CEI services are commissioned from competitively awarded professional services agreements. The OIG is specifically evaluating the method and manner of compensation and whether the method of compensation has an impact on the workflow and timeliness of project completion.

As a complementary offshoot to our audit work on the MCC Program, the OIG intends to initiate similar phased reviews of the County's Equitable Distribution Program.

From the Miami-Dade County Website

Miami-Dade County created the Equitable Distribution Program (EDP) to facilitate increased contracting opportunities to community-based Architecture and Engineering (A&E) firms, as well as afford County department's access to qualified professionals for smaller projects in an expedited fashion without necessitating a formal solicitation process.

The program is structured to equitably distribute projects in all County technical certifications to the program participants through a centralized rotational system. Each firm's position, in the technical certification pools, is based on their prior contracting opportunities with the County. The EDP is applicable for all County projects with an estimated construction cost of \$2 million or less and study activities less than \$200,000 per the thresholds established in Florida State Statute 287.055 for continuous contracts.

VIII. CONTRACT OVERSIGHT

The OIG's Contract Oversight function stems directly from the duties and responsibilities stated in its enabling ordinance. Section 2-1076 of the Code of Miami-Dade County expressly authorizes the OIG to:

- Review and recommend whether a particular program, contract, or transaction is necessary, and assist the Board of County Commissioners in determining whether the project or program is the most feasible solution to a particular need.
- Monitor, oversee and inspect procurement processes to include the establishment of project design and bid specifications, bid submittals, and activities of the contractor.
- Attend procurement selection and negotiation meetings and pose questions and concerns consistent with the functions, authority, and powers of the Inspector General.
- Monitor existing projects or programs and report whether they are on-time, within budget, and in conformity with plans, specifications, and applicable laws.
- Ensure compliance with contract specifications.

Contract Oversight provides real-time monitoring of the entire spectrum of procurement activities, from the time funds are allocated to projects and bid specifications are developed to the final award of contracts. Oversight includes reviewing the advertised solicitation and all addenda issued; observation of the evaluation, selection, and negotiation meetings; monitoring of related vendor communications; and tracking the due diligence assessments of participating vendors. Input from the Contract Oversight Specialists, whether verbal or in writing, may occur at any step in the process.

The OIG's Contract Oversight Unit helps ensure vendors, contractors and firms interested in doing business with Miami-Dade County compete on a level playing field. There are over 14,000 active vendors registered to do business with Miami-Dade County and Jackson Health System.

Contract Oversight Specialists are uniquely positioned to timely address the concerns of vendors during a bid process. Vendors often contact the OIG to complain about specific bid qualifications, process irregularities, or to question selection criterion that appear to provide an unfair advantage to a competitor. Every such vendor inquiry is reviewed and addressed.

The work of the Contract Oversight Specialists does not end when contracts are awarded. To protect the public's interest throughout the term of a contract, the OIG monitors contract implementation and contractor performance to ensure compliance with the contract's terms and conditions, to validate expenditures and verify that contracted deliverables have been received. For construction contracts, we may monitor adherence to specifications, threshold inspections, construction progress and the possibility of schedule delays, expenses from the contingency allowance account, and potential change orders.

When Contract Oversight Specialists encounter inappropriate, unsuitable, or non-compliant procurement practices and contract activities, it is their responsibility to question them. At times, unconventional or nonconforming practices may be warranted by circumstances. Other times, there may be no reasonable justification for the irregular activities. In these instances, County administrators may be verbally advised to take immediate corrective actions, or the OIG may issue a memorandum documenting our observations.

Contract oversight observations can result in identified savings or cost avoidance; any fiscal impact due to our involvement is documented. However, the primary purpose of the OIG’s Contract Oversight Unit is to promote integrity, transparency, and accountability in the County’s procurement processes and contracting activities.

The Contract Oversight Unit is comprised of a supervisor and three specialists and overseen by the Deputy Inspector General. Contract Oversight Specialists have diverse and varying professional backgrounds ranging from budget and finance, policy and public administration, to construction project management and architecture. All members of the Unit have successfully attained the designation of Certified Inspector General Inspector/Evaluator (CIGE).

A. PROVIDING OVERSIGHT VALUE TO OUR MOU DEPARTMENTS & MONITORING CAPITAL IMPROVEMENT PROGRAMS



Several County departments (Transportation and Public Works, Water and Sewer, and Aviation) have entered into Memorandums of Understanding (MOUs) with the OIG. These MOUs for specialized services have been in place decades. The Seaport Department has also sought OIG oversight. Since the mid-2000s, the OIG has been monitoring and reviewing the various Seaport terminal lease agreements, auditing the previous

Seaport Redevelopment Program, and providing investigative assistance at the request of the department. The following pages highlight some contract oversight activities performed during 2022 relating to these four departments.

The Miami-Dade Aviation Department (MDAD)



(left to right) Antonio Castañeda, Terry Murphy, Cesar Cerecedo, Hector Ortiz, Lorraine Moore, Rick Montero and Felix Jimenez at the MDFR Aviation Unit during a review of the Miami Executive Airport

The OIG’s first MOU was entered into with MDAD in 2000 shortly after the passage of Resolution R-1203-99 by the Board of County Commissioners that “directed the County Manager to provide the necessary resources to the OIG to conduct a thorough investigation and review of existing contracts at MIA.” The OIG has maintained a fully staffed satellite office at MIA since 2000.

The aviation industry has historically been a driving force of the economy of Miami-Dade County and continues to be today. MDAD manages and operates MIA and four general aviation airports. MDAD must be responsive to a wide range of stakeholders, including the elected county officials who govern the airports, airline executives, federal authorities, the traveling public, airport workers, cargo operators, concessionaires, and ground

services permittees. In this dynamic milieu of competing interests, routine procurement of goods and services often is not routine. For this reason, the OIG invests considerable time on MDAD procurement and the programmed projects of department’s capital improvement program. Below are some of the more high-profile projects that the OIG’s Contract Oversight Unit (COU) is monitoring.

A Vertically Integrated Cargo Community (VICC) at Miami International Airport

At the meeting of the Airports and Economic Development Committee on January 11, 2022, an agenda item recommending the rejection of an unsolicited proposal to build a vertically integrated cargo solution at Miami International Airport caught the attention of the OIG and County Commissioners. The item was unanimously deferred to the next committee meeting. On January 14, 2022, the OIG issued a [memorandum](#) finding that the County was non-compliant with its own processes and procedures governing Unsolicited Proposals. The Unsolicited Proposal had been received 15 months earlier—on October 7, 2020.

The OIG took issue with the extraordinarily lengthy period of time expended to evaluate the proposal. As a result of the OIG memorandum, the County issued a new Implementation Order (AO3-65) to improve compliance with the legislative requirements. On February 28, 2022, the OIG issued a [second memorandum](#) to the Board of County Commissioners (BCC) clarifying the lack of compliance had not been the responsibility of the proposers and the recommendation to pursue this matter through direct negotiations was not unreasonable.

Ultimately, on May 24, 2022, the BCC adopted Resolution R-191-22 approving the rejection of the unsolicited proposal and authorizing direct negotiations for the VICC, relying on statutory authority available to MDAD to negotiate such leases, which rendered the issues with the Unsolicited Proposal process moot. As a result of further inquiry, via memoranda issued simultaneously to both the Director of ISD and the Director of MDAD on June 30, 2022, the OIG identified a lack of accounting for the staff resources expended on the evaluation process – an issue of concern for future Unsolicited Proposals. We trust this will be addressed through future directives to user departments when Unsolicited Proposals are received.

The OIG Contract Oversight Unit has been actively monitoring the negotiations to build and operate the VICC. This project is extremely complicated as it impacts current tenants of MIA, requires acceleration of programmed capital improvement projects, strains resources available for environmental remediation, and anticipates federal grant funding for ancillary infrastructure improvements.

The OIG met with the MDAD Director and senior staff. The parties have been diligently working to define the terms of a Master Development Agreement based on a conceptual framework agreed to at the end of 2022. The OIG will continue to monitor this proposed project through conclusion.

Excerpt from the OIG's November 2022 Memorandum

The OIG can assure the Board, this process has not been plagued by unethical conduct or malfeasance. Instead, this process revealed a host of issues that warranted in-depth review by a multitude of professionals. The issues of licensing and certifications, along with the determination that Responsible Wage should apply to all workers engaged in the delivery of these services, were difficult choices that have now been made. And, of course, the Transition Phase is no longer an issue, and the global pandemic may have run its course. For all that has transpired over the past three years, the OIG believes that the County is in a better place to manage this complex agreement.

Airport's New Capital Improvement Program (CIP)

The incumbent firm, HNTB, had held the contract to provide bond engineering services dating back to an award approved in 1955. An open-ended agreement with HNTB was executed by the County in 1966. On June 5, 2009, the OIG published a Final Audit report (IG07-078A) that questioned the issuance of various work orders to the Bond Engineer and recommended a competitive selection process with a fixed term be advertised. MDAD disagreed not wanting to embark on procuring a new agreement until after completing its then current Capital Improvement Program (CIP). Finally, on June 23, 2021, after a new CIP was endorsed by the BCC, MDAD heeded the advice of the OIG and advertised for these services. Only one firm responded to the advertisement—the incumbent firm of HNTB. After evaluation by a Selection Committee, negotiations ensued, which the OIG's Contract Oversight Specialist duly monitored.

The OIG's monitoring of the negotiations focused on areas detailed in our 2007 audit. We wanted to ensure that the scope of service orders will be discretely defined, as opposed to being all encompassing. Under the new agreement, the Bond Engineer will not be tasked with program management work that it could then have reason to oversee and comment on in its role as Bond Engineer.

On October 6, 2022, the BCC approved the agreement with HNTB, with a not-to-exceed amount of \$95,053,641 over a ten-year term. The scope is clearly defined categorically: Bond Engineering Services per the Trust Agreement, the Annual Inspection and Report, and Support Services. All work to be performed is pursuant to the issuance of service orders by MDAD. Payment for services is computed as either a Fixed Lump Sum or Direct Labor Multiplier, using wage rates as reported to the IRS. This new agreement includes an extensive section devoted to identifying and addressing any organizational conflicts that may arise.

With a new Bond Engineering Agreement in place and two new Professional Services Agreements for specialized engineering consulting services, which were awarded in 2021 to Hill International, Inc. and CBRE Heery, Inc., MDAD has embarked on its latest CIP. The OIG has also begun monitoring this highly complex and multifaceted program. An OIG Contract Oversight Specialist regularly attends MDAD's bi-weekly CIP coordination meeting and, as the program develops, we will selectively review individual projects.

The Water and Sewer Department (WASD)



WASD became the OIG’s second strategic partner when, in March 2000, WASD provided the OIG office space for a permanent on-site oversight presence at its administrative headquarters building. An MOU with the department was executed in January 2001. Since our creation, the OIG has always been involved in providing oversight and inspectional services for WASD’s

capital improvement programs, including the original pump station improvement program in 1999; the high yield disinfection program in the mid-2000s; and the current capital program highlighted by the federal Consent Decree filed in 2013, the successor pump station improvement program, and the State of Florida’s Ocean Outfall Legislation.

Throughout 2022, the OIG continued its oversight presence at WASD. The OIG has one Contract Oversight Specialist designated as our primary representative in all matters relating to WASD’s Capital Improvement Program (CIP) as well as other construction, goods, and services contracts. The OIG has also dedicated investigative resources for WASD issues as needed. OIG staff have participated in meetings with the WASD CIP leadership team, procurement staff, operations personnel, and external Program Managers in order to stay abreast of the multiple and shared goals of the different divisions of the Department. The following summaries highlight some of our more notable oversight activities.

Multi-Year Capital Improvement Program (CIP)

By the end of 2022, of the 81 capital projects identified in the \$1.9 billion Consent Decree Program, 56 projects have been completed and are now being maintained within the WASD Department Asset Management System. The OIG’s Contract Oversight Specialist is tracking the progress of the remaining 25 Consent Decree projects. Similarly, the \$2.1 billion Ocean Outfall Legislation (OOL) Program has 24 total capital projects. The OOL Program has now passed the peak of projects in design with construction commencing on a large group of projects in the southern portion of the county. Almost half of the funding for the OOL Program is being provided by the federal government through low-interest loans.

In addition to these two major capital programs, there has been significant OIG oversight conducted for various construction procurements involving the removal and replacement of sanitary sewer mains, as well as the rehabilitation of sanitary sewer mains by various special lining methods.

Contracts for facility improvements are also closely monitored. To better appreciate the scale of these projects, during the past year, the OIG conducted site visits to the John E. Preston Water Plant, the Alexander Orr Water Plant, and the South District Wastewater Treatment Plant.

Oxygen Trains & Oxygen Production Facility – North District Wastewater Treatment Plant

In March 2022, the OIG began monitoring negotiations for the Consent Decree/ Design-Build Project #DB20-WASD-02 – Construction of the North Dade Wastewater Treatment Plant Oxygen Trains & Oxygen Production Facility. Proposals for this Request for Design Build Services (RDBS) were submitted in December 2020. However, due to delays and the COVID-19 supply chain disruptions, negotiations reached an impasse as the negotiated prices far exceeded the dollar amounts originally proposed.

Consequently, on October 19, 2022, the Mayor’s designee approved a recommendation to reject all proposals. The COU will continue to monitor this vital project, including any modifications introduced with the newly advertised solicitation.

A New South Dade Maintenance Facility

In late 2021, the OIG was informed by WASD that they intended to restart a design project for a South Dade Maintenance Facility. The OIG researched the project’s history and discovered a prior design contract awarded over 15 years ago. Although \$1.6 million had been expended on design fees, the designs were never approved by County Zoning or Permitting, and the plans do not meet current County code or building requirements.

In January 2022, the OIG presented WASD leadership with our analysis and recommendations for the restarted project. WASD was receptive to the input provided by the OIG. The OIG issued an Observations Memorandum to WASD, which summarized eleven (11) areas of concern for WASD to address. These concerns included a need for early involvement and input from ISD on the pending Fuel Island portion of the site plan so it could be adequately integrated with the maintenance facility before the eventual Government Facilities Zoning Hearing. Shortly thereafter, WASD advised the OIG of its intention to incorporate the OIG’s recommendations into the project planning process.

Subsequently, on July 18, 2022, the County’s Strategic Procurement Department issued a solicitation for “Professional Services for the South Dade Maintenance Facility, ISD No. A21-WASD-01.” Proposals were due on September 7, 2022. The bids are now being evaluated and the project is under the Cone of Silence. The OIG will continue monitoring this project.

Design-Build Contract for 3.1 Miles of a 54-inch Water Main



On April 5, 2022, the BCC adopted Resolution No. R-326-22 to award a Design-Build contract to Lanzo Construction Co. in an amount not to exceed \$24,309,622 for the installation of a three mile long 54-inch water main along Red Road from the John E. Preston Water Treatment Plant to West 53rd Street in Hialeah. The OIG's monitoring indicated that, even though negotiations were difficult and complex due to differences between the proposed solution and the design criteria, it was a fair

and transparent process. Ultimately, these differences were resolved to the satisfaction of WASD, and no exceptions were observed. Due to the complexity of the project, the OIG Contract Oversight Unit will, from time-to-time, monitor construction performance, including potential impacts to the project budget and schedule.

Inflationary Impact on the Price for Sodium Hypochlorite

In February 2022, WASD requested the OIG's assistance to evaluate a vendor request for a price increase to Contract #FB-00640: Sodium Hypochlorite (NaOCl) and Storage Equipment. NaOCl is a disinfection chemical used at WASD water and wastewater treatment plants. This product is the active ingredient commonly found in household bleach. The vendor had already received a contractual Producer Price Index (PPI) increase of 8.6% in late 2021. Although PPI increases are allowed only once annually, due to substantial price escalation from the company's chlorine suppliers that started in mid-2021 due to COVID-related supply issues, the vendor requested a second, more significant price increase. According to the vendor, the most recent PPI was not sufficient to cover their current production and transport costs and a second increase was now warranted.

Independent market research conducted by County Procurement staff, and independently reviewed, by the OIG confirmed that this high-demand chemical was impacted by supply issues caused by the COVID pandemic, which resulted in price increases. Based on this data and information, the OIG found the price related contract modifications to be acceptable. Thereafter, the OIG asked to review the actual contract modification language, which stated that the County would rescind the prior increase and replace it with the new increase. However, because previous invoices had already been processed with the 8.6% increase, the OIG recommended that the modification language be revised to reflect the second increase with a new effective date. The County concurred with our recommendation and corrected the language in the contract modification.

The Department of Transportation and Public Works (DTPW)



On November 30, 2022, DTPW held an Industry Forum to present an overview of its Capital Improvement Program (CIP) and to engage and encourage participation by industry partners. DTPW’s overview of its \$6.2 billion CIP shows that \$4.6 billion (or 74%) is earmarked for implementation of the SMART Program during the next five (5) years. While funding for the projects was not immediately identified, indications are that restructuring project delivery options of certain SMART corridors would be necessary to increase eligibility opportunities for federal funding through the “Bipartisan Infrastructure Law” recently enacted. Should these opportunities materialize, DTPW might be engaged in multiple

procurement and construction efforts within a relatively short period. In response, the OIG’s Contract Oversight Unit is prepared to re-evaluate the allocation of its resources to ensure that these projects receive the oversight and monitoring attention they deserve. Below is a sampling of oversight activities performed during 2022.

Rapid Mass Transit Solution for the Beach Corridor Trunk Line (SMART)

During 2022, the OIG continued monitoring the workgroup meetings and negotiations prescribed by the Interim Agreement with MBM Partners, LLC to achieve a mutually agreeable Project Agreement for the Beach Corridor Trunk Line. The COU noted that throughout the entirety of the negotiations process, the County Team was fully engaged and committed to achieving the best agreement at a justifiable cost, all the while steadfastly focused on meeting the requirements and scope of the RFP. Ultimately, the Interim Agreement expired on October 30, 2022, without the parties achieving a mutually acceptable Project Agreement. Having monitored negotiations during the past 24 months and given the opportunity to critically review the report issued by the County’s Negotiating Team on October 31, 2022, the OIG found no exceptions in the report and concurred that it is an accurate record of the process.

The County Administration has announced its intent to re-design the Beach Corridor’s project delivery approach from a Public-Private Partnership (P3) to a Design/Build model. The OIG has advised DTPW of our intended continued oversight. This has already included OIG input to DTPW on its consulting engineering agreements and design criteria development. As with all other corridors in the SMART Plan, the OIG will continue to monitor future developments and solicitations regarding the Beach Corridor.

Rapid Mass Transit Solution for the North Corridor (SMART)



The OIG began monitoring this Public-Private Partnership procurement in June of 2020 soon after RFP-01432 for the “Rapid Mass Transit Solution for the North Corridor” was issued. After reviewing the RFP and the bid addenda, and reading the bid proposals, the COU monitored the evaluation and selection process and then observed the initial negotiations for alternative technical concepts (ATC). This entire P3 selection process was set aside by action of the BCC on November 15, 2022.

As memorialized by the Office of the County Attorney, the motion adopted by the BCC directed the Administration to: 1) terminate the current P3 procurement for the North Corridor (RFP-01432); 2) to accelerate the implementation of the North Corridor as an elevated fixed guideway solution per the Miami-Dade Transportation Planning Organization’s adopted Locally Preferred Alternative (Resolution No. R-52-18) with the preferred transit technology of elevated heavy rail (Resolution No. R-55-19); and, 3) urge the Florida Department of Transportation (FDOT) to complete the National Environmental Policy Act (NEPA) process and assist the County in achieving the accelerated implementation of the project via assistance in facilitating right-of-way acquisition, permitting, and construction phasing of the North Corridor.

In addition, the motion also directed the County Administration to propose a stipend to reimburse the participants involved in RFP-01432. Subsequently, on November 17, 2020, Addendum No. 24 was issued to advise proposers that this procurement had been cancelled and that the Cone of Silence was lifted. The OIG has advised DTPW that the OIG will be monitoring the wrap-up of RFP-01432, including the payment of any stipends, as well as the new accelerated program.

South Dade Rapid Transit Corridor (SMART)



In early 2021, the Notice to Proceed (NTP) was issued to OHLA USA to design and build 14 Bus Rapid Transit (BRT) Stations strategically located to complement 32 local bus stations along the 20-mile South Dade Bus Rapid Transitway. Since then, Contract Oversight Specialists have attended construction progress meetings and conducted various site visits throughout the length of the corridor.

Various factors, including COVID-19 related supply chain issues, have impacted the original completion dates. On October 6, 2022, the BCC, via Resolution No. R-940-22, approved Change Order No. 1 to extend the contract duration by 327 non-compensable calendar days (to April 7, 2024). The OIG found no exceptions to the Change Order and will continue monitoring this project through completion.

The County will be running 60-foot electric buses along the BRT. The buses and the station platforms are designed to effectuate a level boarding for passengers. The OIG has also been monitoring the procurement of these buses.

Acquisition of 60-foot Electric Buses



The OIG has been monitoring this procurement effort for more than two years. There were two bids received in response to RFP-01501 for Battery-Electric Articulated Buses and a Charging System. Both bids were rejected in June of 2021 for being non-responsive to the

solicitation. A new procurement was initiated in September of 2021 to secure the 100 electric buses for the South Dade Transitway. The same two companies responded to RFP-01966. On October 12, 2021, one of the proposals was again ruled non-responsive. The evaluation of the remaining proposal and final negotiations have been concluded. An award recommendation will be released in January of 2023, which will lift the ‘Cone of Silence’ and commence the final approval process before the Board of County Commissioners.

Allocation of County Transportation Surtax Funds for the Tri-Rail Downtown Miami Link



On April 5, 2022, [the OIG issued a final report entitled *Review of Factors Delaying Initiation of the Tri-Rail Downtown Miami Link Commuter Service*](#). The OIG’s review was predicated on a request from the Executive Director of the Citizens’ Independent Transportation Trust to review the circumstances delaying the introduction of Tri-Rail commuter service into downtown Miami at the MiamiCentral Station.

In 2015, the Miami-Dade Board of County Commissioners (BCC) approved an Interlocal Agreement with the South Florida Regional Transportation Authority (SFRTA), which included an allocation of \$13.9 million in Transportation Surtax funds (aka the half penny transit tax).

With the commitment of public funds (the County’s \$13.9 million, plus \$28.9 million collectively from the City of Miami and other agencies), the SFRTA was able to enter into an agreement with the developers of the new rail station, Florida East Coast Industries (FEI). The agreement includes access to 9 miles of existing Florida East Coast Railway (FECR) tracks leading to the Miami Central Station. When the BCC voted to allocate \$13.9 to support this endeavor, the projected date to initiate service was March 31, 2017. To date, service has still not been initiated. The report identifies numerous factors, which were all detailed in the OIG’s final report.

Construction of the Tri-Rail platforms at Brightline’s Miami Central Station was completed in early 2018. The SFRTA attributed the persistent delays to various complexities associated with being a passenger rail service tenant on a freight corridor. During this review, the OIG carefully identified and documented each programmatic obstacle. The engagement of the OIG resulted in exposure of several operational and technical issues that, while known to members of the working group, had never been publicly communicated to either Board members of the SFRTA nor to its funding partners. The OIG’s probe also resulted in restoration of the County’s 15% financial retainer, increased communications among the principals of the multi-party project agreement, and likely contributed to organizational changes in the SFRTA and its project management team to better manage this project through to completion. On August 15, 2022, a new executive director assumed leadership of the SFRTA. As noted in the Final Report, the OIG anticipates the Tri-Rail Downtown Miami Link service to begin revenue service in 2023.

Advanced Traffic Management System

In May 2020, after a competitive procurement process, the County awarded Yunex (formerly operating as Siemens ITS) a \$160 million contract to provide and install an advanced traffic management system (ATMS) involving upgrades to approximately 2,900 traffic controllers and the installation of new video detection systems throughout Miami-Dade County’s intersections. Assisting DTPW in the project management of this massive project is A & P Consulting Transportation Engineers (APCTE), which was awarded a \$20 million Professional Services Agreement. APCTE is providing project and construction management services, traffic engineering support, and plans review.

Since work has begun on this project, OIG Contract Oversight Specialists have attended numerous meetings, ranging from internal DTPW and consultant meetings, project meetings with Yunex, and periodic site visits. OIG staff monitor discussions relating to contract performance, field conditions and observations, and their potential impact on the project’s schedule, and, as appropriate, may provide input.

The testing of the controllers has been performed in 2022 and once the training is completed, the installation of controllers in the field is expected to begin. The location of these controllers will be by “polygons,” which is how the countywide project map is laid out. The OIG will continue to be involved in the monitoring of this extensive traffic coordination project.

The Seaport Department and PortMiami



Continuing from the previous year, the OIG has been actively involved in monitoring various construction projects taking place at PortMiami. The construction of new cruise terminals and renovations to other facilities are progressing. As is usually the case, along with the County project management staff and professional consultants serving as owner representatives, this oversight activity has included attending the various weekly progress meetings, internal County coordination meetings, and construction site visits. The open communication with the involved parties continues to allow the OIG to effect a positive presence in the project development and has prompted the continued requests from the Seaport staff for involvement in other projects.

Change Review Board

During the past years, the Seaport has experienced significant increase in capital construction activities at PortMiami, particularly with the building of new cruise terminals. This increase in activity has resulted in the inevitable submission of numerous change orders.

Beginning in 2021 and continuing through 2022, the Seaport requested the assistance of the OIG to provide independent monitoring of the change order review process. As a result, OIG Contract Oversight Specialists have been attending the weekly Seaport Change Review Board Meetings and providing input as appropriate.

PortMiami Fumigation and Cold Chain Processing Program

In August 2022, the OIG was notified of the receipt of an unsolicited proposal entitled “PortMiami Fumigation and Cold Chain Processing Program.” As provided by Sec. 2-8.2.6(3) of the Code of Miami-Dade County and Administrative Order No. AO 3-65, the Contract Oversight Unit began monitoring the evaluation process for this unsolicited proposal. The initial proposal was rejected by ISD due to non-compliance with all the submission requirements. A revised unsolicited proposal was submitted by the same proposer and subsequently withdrawn. The County intends to proceed with this project and the OIG will continue monitoring this process through completion.

Design-Build for Re-alignment of North Bulkhead Cruise Berths 1-6

In early 2022, the OIG began monitoring the procurement process of the North Bulkhead Berths 1-6 Realignment project at PortMiami (DB21-SEA-01). This procurement seeks to reconstruct and realign 7,168 feet of the northern bulkhead.

In order to minimize interruptions to existing cruise operations, only one berth will be taken out of service each cruising off-season (from May 15 through October 15). This sequence will be followed until all six berths are complete. Thus, the project duration is approximately 6.5 years. This project differs from a traditional design-build construction project in that it requires financial participation from the successful bidder during the pendency of construction. The OIG's Contract Oversight Unit will remain engaged on this substantial project throughout this complex procurement and during the construction phases.

Acquisition of New Parking Access and Revenue Control System

It is not unusual for the OIG to monitor a concern spanning multiple years, as was the case for this acquisition. In 2019, the OIG completed a multi-disciplinary review of the Seaport's public parking operations and issued a report with several recommendations, which were all accepted by the Seaport. Some of the recommendations addressed system functionality and internal controls that would be addressed through the implementation of a new system. Subsequently, we shifted our oversight effort to monitoring the ensuing procurement of a new parking access and revenue control system. The OIG's involvement, among other reasons, was to ensure that all previous OIG concerns and recommendations would be addressed in the solicitation and the resulting contract. The OIG's activities included: reviewing the RFP's specifications prior to issuance, monitoring the competitive evaluation and selection process, and observing the contract negotiations.

The OIG noted that County's negotiating team emphasized the need for a parking system that responds to the resilient requirements and goals established by the County, especially those of sea-level rise and flooding from storms or hurricanes. While negotiating for "Quick Disconnect and Relocation Services" to safeguard all ground level parking equipment against flooding or other weather-related events, the OIG suggested that due to the size and location of PortMiami, the Seaport's need for these services should be given priority over the vendor's current or future customers. Both parties, without hesitation, agreed to include this provision in the contract that was authorized by the BCC via Resolution R-917-22 on October 6, 2022.

From the Mayor's Memorandum, dated October 6, 2022, Agenda Item 8(F)(2) Recommendation for Approval to Award Contract No. RFP-01453, Miami-Dade Parking Access and Revenue Management Solution

Representatives from the Office of the Inspector General participated throughout the evaluation and negotiation phases of the solicitation to ensure that the procurement process was conducted in a fair and transparent manner and supported the development of a contract that provides the best value to address the current and future needs of the County.

B. CRIMINAL JUSTICE, THE COURTS, AND PUBLIC SAFETY

The County's financial obligations and responsibilities for maintaining safety, security, and justice within our community goes far beyond funding and operating the Police, Fire Rescue, Code Enforcement, environmental and resilience efforts. Pursuant to the Constitution of the State of Florida, and as stated in Section 29.008, Florida Statutes, the County is also responsible for funding many of the services required to maintain our justice system.

Construction of the New Civil and Probate Courthouse (ISD)



One of the County's landmark projects currently in progress is the construction of a new Civil and Probate Courthouse across the street from Government Center. The OIG has been monitoring this project since inception when, in January 2018, the County received an unsolicited proposal for a Public-Private-Partnership project to build a new courthouse and associated facilities. Subsequently, with the County's decision to issue its own solicitation for the same project purpose and for the first time, using the P3 concept, the OIG focused our early attention on the procurement process. During the development of the

specifications for the RFP, the OIG made suggestions that were incorporated that would further ensure that the process would be open, fair, and transparent, allowing the County to receive the best possible proposals. The OIG continued its monitoring throughout that phase of the project, culminating with the award of that contract to Plenary Justice Miami, LLC.

Beginning with the design phase of the project, the OIG re-evaluated its resources and determined that a dedicated Oversight Specialist with a construction background would be vital to ensuring that we have sufficient resources to monitor this project. During the past year, the OIG's Contract Oversight Specialist attended numerous internal and external meetings and toured the project site. As in the prior year, many of these meetings were conducted virtually; this alternative platform has proved to be an efficiency gain for the Contract Oversight Unit to monitor more meetings without the expense of travel time. Throughout 2022, whenever the OIG anticipated issues or situations that could have the potential to disrupt the project's progress, the Contract Oversight Specialist met with the integral parties to ensure the availability of viable solutions to resolve those concerns.

One such example of this occurred in early 2022, when the bid packages for furniture, fixtures, and equipment (FF&E) were being prepared for advertisement in the County's BidSync system during the same timeframe that ISD Procurement had scheduled the roll-out of the new INFORMS procurement platform and the concurrent termination of the BidSync platform. To ensure that this procurement would not be delayed negatively by platform change, the Contract Oversight Specialist alerted both parties to the situation and was successful in ensuring that the procurement would continue unaffected by the platform change.

Another example occurred during initial discussions on the procurement of security equipment. A concern regarding a potential for conflict of interest was raised by the County’s project management staff. The Contract Oversight Specialist, in concert with the County Attorney’s Office, recommended that the concern be referred to the Commission on Ethics and Public Trust (COE) prior to any further action being taken. The recommendation of this process was followed, which allowed the incorporation of the opinion provided by the COE.

These are examples where the effects of OIG’s oversight and monitoring do not manifest itself in published reports or memoranda, but through meetings or discussions with County staff. The OIG will continue monitoring this project during 2023.

Replacement Jail – Site 1 Training & Treatment Center (MDCR)

In 2021, the COU began monitoring a new construction project for the Miami-Dade Corrections and Rehabilitation Department—the procurement of Design-Build Services for the Master Plan Replacement Jail (DB21-MDCR-01) at the Turner Guilford Knight Correctional Center located at 6950 NW 41st Street, Miami. This procurement includes demolition of the existing Training & Treatment Facility and design/construction of a new Central Intake, Release, and Administration Building. Two firms responded to the Design/Build solicitation.

This project is currently in the negotiation phase with the highest ranked proposer and is under the Cone of Silence. During 2023, the OIG will continue monitoring this procurement to ensure that the process is not only fair, open, and transparent, but that it is also in compliance with the project’s Design Criteria Package and the Department of Justice’s Consent Decree.

Non-Competitive Acquisition of the NG911 System for the Miami-Dade Police Department



For the past two years, the OIG has been monitoring the procurement of a NG911 system to replace the outdated E911 system acquired back in 2009. The existing system lacks features and capabilities available through digital technology; it is unable to accept text-to-911 messages.

The OIG had earlier, in 2019, expressed concerns about the initial request for the non-competitive acquisition of a system that was not fully operational in the USA. In part based on our comments, the County’s efforts to pursue that acquisition without competitive bidding were shelved and the parties agreed to pursue developing a Request for Proposals. That effort, however, which began in early 2020, was stymied due to the onset of the

COVID pandemic. After an extended delay, the OIG, again, in mid-2022, reviewed a revised request and justification for a non-competitive acquisition; this time, however, the \$3 million request was for the next generation of the system currently in use by the Miami-Dade Police Department.

During this review, the OIG verified that the requested system would not only meet the needs of the County but would also provide the capability and reliability to ensure compliance with Florida Statute Section 365.172 requiring counties to enact “Text-to-911” capabilities. The OIG noted that the initiative for this complying with the Florida Statute provision was authorized by the BCC in 2016 and, after failed attempts, was mutually terminated in 2019. The termination of services, however, was never given legal effect; a settlement to terminate the contract was never approved by the Board of County Commissioners.

Through several inquiries and a few meetings with County staff, the OIG expressed concerns over the bid waiver package as presented. As a result, the OIG requested that the long over-due settlement agreement on the 2016 contract be de-coupled from the new bid waiver contract and be presented as a separate legislative item. County staff agreed.

On July 7, 2022, the BCC adopted Resolutions Nos. R-615-22 and R-616-22, approving the \$3,166,360 bid-waiver purchase and settlement agreement, respectively.

Purchase of a New Computer Aided Dispatch System for the Miami-Dade Fire Rescue Department

In June 2021, the OIG issued a memorandum commenting on a long-delayed procurement (RFP-00589) for a Computer Aided Dispatch (CAD) System for the Miami-Dade Police Department and the Miami-Dade Fire Rescue Department. That memorandum provided a detailed analysis of the process and options available; the most viable of which was to withdraw the RFP and to re-issue a new one.

Subsequently, the Administration opted to withdraw that RFP and to issue a new RFP (RFP-02199), solely for the Fire Rescue Department as the Police have already implemented upgrades to its own platform. Throughout 2022, the OIG has been monitoring the procurement process, which, at the end of 2022, remains under the Cone of Silence. The OIG will continue to monitor this procurement through completion.

Helicopter Purchase for the Miami-Dade Police Department



The OIG began monitoring the procurement of four helicopters to replace the existing fleet of helicopters used by the Miami-Dade Police Department. This procurement began in September 2021 with the issuance of RFP-01647 and there has not yet been a recommendation for award. Thus, this procurement remains under the Cone of Silence. The OIG will continue monitoring through completion.

C. MONITORING AND OVERSIGHT ACTIVITIES IN OTHER AREAS

Rickenbacker and Venetian Causeways and Associated Recreational Elements

In July 2021, the County received an unsolicited proposal titled “Plan Z for Miami.” This proposal pertained to the Rickenbacker and Venetian Causeways. The Plan Z group proposed to upgrade the Rickenbacker and Venetian Causeways, including the addition of new recreational amenities. In order to fund the project, the development consortium would have the right to set and collect tolls for all vehicles using the causeways and from ancillary (concession) revenues earned in the project area.

The OIG reviewed the unsolicited proposal and monitored the evaluation efforts of County staff to do the same, which resulted in the County promptly issuing a Request for Proposals for a project of similar scope. After the solicitation was advertised many questions and concerns were raised. The RFP was amended to eliminate the Venetian Causeway element of the project after residents of the Venetian Islands community complained. Concerns and questions continued to be raised and the RFP was eventually withdrawn. Should this project re-emerge, contract oversight monitoring will resume.

Proposed Homestead Town Center Container Park

Beginning in early 2022, following the adoption by the BCC of Resolution No. R-61-22, the OIG began monitoring the negotiations between the County and Homestead Town Center, LLC (HTC) for a temporary use permit for approximately 24 acres of vacant County land, in the vicinity of the southwest corner of SW 280th Street and SW 127th Avenue to be used as an entertainment center using modified shipping containers. The stated goal is to purchase the land for use as a permanent site for a container park. The initial urgency, expressed during negotiations, was to have the entertainment park operational in time for the October 2022 NASCAR event at the Homestead-Miami Speedway. The OIG monitored negotiation meetings that resulted in a Permit Agreement, executed in August 2022. However, despite assurances by HTC during the spring and summer negotiations, the installation of the temporary container park never began, and no entertainment venue was in place for the NASCAR event. The OIG will continue monitoring the negotiations for the sale and purchase agreement of a non-competitive conveyance of County property.

The New Mental Health Diversion Facility

The County has invested over \$50 million on a project to transform the former South Florida Evaluation & Treatment Facility, a forensic hospital located in downtown Miami, into a Mental Health Diversion Facility to provide appropriate care for individuals in crisis or awaiting adjudication. The South Florida Behavioral Health Network (SFBHN) has overseen the renovation of the facility and had intended to manage and operate this facility upon completion of the project. SFBHN is no longer

interested in serving as the operating manager. The County has now assumed the responsibility for the final phase of the renovation project (Agenda Item 11A12, November 15, 2022) and will close out the agreements with the architect, contractor, and owner’s representative once the final Certificate of Occupancy is approved by the City of Miami.

The future governance of the facility has yet to be determined. The OIG will maintain an ongoing review of this project to ensure this tremendous investment of taxpayer funds achieves its intended purposes – an appropriate facility that offers more humane and consistent care for individuals with mental illness and a significant reduction in the number of such individuals incarcerated in the Miami-Dade Corrections and Rehabilitation facilities.

Meetings at a Glance

During the past 12 months, Contract Oversight Specialists attended and monitored over 334 procurement-related meetings that included Competitive Selection Committee Evaluation meetings, internal strategy meetings, and negotiations meetings.

For major procurements and capital projects that the OIG monitored through procurement and award, Contract Oversight Specialists continued monitoring through design and implementation/construction phases. In this latter group, we were able to increase our presence by monitoring over 279 construction progress meetings, ensuring that performance is consistent with the terms and conditions of the contracts.

The ability of Contract Oversight Specialists to monitor 613 meetings during 2022 has been a continuing benefit of the work transitions forced on us during the 2020 COVID lock-down. Although, public meetings being held in-person, other meetings, where permitted, continue to be conducted virtually and have allowed our personnel to eliminate travel time between meetings and so be able to monitor a greater number of meetings, as necessary.

Bids and Contracts at a Glance

In addition to the mega projects, like the construction of the New Civil and Probate Courthouse, over the past 12 months, the Contract Oversight Unit has reviewed, inspected, and monitored a broad array of bids, contracts, and projects. These bids and contracts range from routine Invitation to Bid for goods and services to Request for Design Build Services for complex, multi-million-dollar construction projects and development deals. Contracts being monitored range from department-level purchases from pre-established, qualified vendor pools to multi-year installation projects like the Automated Traffic Management Systems.

IX. OIG PERFORMANCE, ACCOUNTABILITY, SAVINGS AND EFFICIENCY

Identified Financial Impacts

In Fiscal Year 2021-2022, OIG investigations, audits, inspections and other reviews identified \$510,462 in damages and losses due to theft, fraud and abuse and \$1,387,328 in questioned costs. As a result of these cases, and others that began in earlier years, OIG cases in Fiscal Year 2021-2022 have given rise to over \$23,482,944 savings and funds put to better use, and have brought \$1,676,103 in recoveries, repayments and court-imposed restitution.

Criminal Charges Filed

In Fiscal Year 2021-2022 resulted in five arrests and three sentencings and criminal charges filed that include Grand Theft, Organized Fraud/Scheme to Defraud, Exploitation of Official Position, Communications Fraud, Notary Fraud and Identity Theft.

Publications

The OIG issued nine public reports and twenty-four advisory memoranda during Fiscal Year 2021-2022. The reports include audit reports, contract oversight reports and administrative investigative reports. The advisory memoranda typically involve notifications regarding the closure of OIG cases, including arrests and dispositions of criminal cases.

From October 1, 2021, through September 30, 2022, the Office of the Inspector General completed:

 33 Public Reports	resulting in:	 and more than
 Advisory Memorandums	5 arrests 	\$23m
	3 sentencings	savings to Miami-Dade County

X. APPENDIX: CODE OF MIAMI-DADE COUNTY Sec. 2-1076 OFFICE OF THE INSPECTOR GENERAL

(a) Created and established. There is hereby created and established the Office of Miami-Dade County Inspector General. The Inspector General shall head the Office. The organization and administration of the Office of the Inspector General shall be sufficiently independent to assure that no interference or influence external to the Office adversely affects the independence and objectivity of the Inspector General.

(b) Minimum Qualifications, Appointment and Term of Office.

(1) Minimum qualifications. The Inspector General shall be a person who:

- (a) Has at least ten (10) years of experience in any one, or combination of, the following fields:
 - (i) as a Federal, State or local Law Enforcement Officer;
 - (ii) as a Federal or State court judge;
 - (iii) as a Federal, State or local government attorney;
 - (iv) progressive supervisory experience in an investigative public agency similar to an inspector general's office;
- (b) Has managed and completed complex investigations involving allegations of fraud, theft, deception and conspiracy;
- (c) Has demonstrated the ability to work with local, state and federal law enforcement agencies and the judiciary; and
- (d) Has a four-year degree from an accredited institution of higher learning.

(2) Appointment. The Inspector General shall be appointed by the Ad Hoc Inspector General Selection Committee ("Selection Committee"), except that before any appointment shall become effective, the appointment must be approved by a majority of the whole number of members of the Board of County Commissioners at the next regularly scheduled County Commission meeting after the appointment. In the event that the appointment is disapproved by the County Commission, the appointment shall become null and void, and the Selection Committee shall make a new appointment, which shall likewise be submitted for approval by the County Commission.

The Selection Committee shall be composed of five members selected as follows:

- (a) The State Attorney of the 11th Judicial Circuit for Miami-Dade County;
- (b) The Public Defender of the 11th Judicial Circuit for Miami-Dade County;
- (c) The Chairperson of the Miami-Dade Commission on Ethics and Public Trust;
- (d) The President of the Miami-Dade Police Chief's Association; and
- (e) The Special Agent In Charge of the Miami Field Office of the Florida Department of Law Enforcement.

The members of the Selection Committee shall elect a chairperson who shall serve as chairperson until the Inspector General is appointed. The Selection Committee shall select the Inspector General from a list of qualified candidates submitted by the Miami-Dade County Employee Relations Department.

(3) Term. The Inspector General shall be appointed for a term of four years. In case of a vacancy in the position of Inspector General, the Chairperson of the Board of County Commissioners may appoint the deputy inspector general, assistant inspector general, or other Inspector General's office management personnel as interim Inspector General until such time as a successor Inspector General is appointed in the same manner as described in subsection (b)(2) above. The Commission may by majority vote of members present disapprove of the interim appointment made by the Chairperson at the next regularly scheduled County Commission meeting after the appointment. In the event such appointment shall be disapproved by the County Commission, the appointment shall become null and void and, prior to the next regularly scheduled Commission meeting, the Chairperson shall make a new appointment which shall likewise be subject to disapproval as provided in this subsection (3). Any successor appointment made by the Selection Committee as provided in subsection (b)(2) shall be for the full four-year term.

Upon expiration of the term, the Board of County Commissioners may by majority vote of members present reappoint the Inspector General to another term. In lieu of reappointment, the Board of County Commissioners may reconvene the Selection Committee to appoint the new Inspector General in the same manner as described in subsection (b) (2). The incumbent Inspector General may submit his or her name as a candidate to be considered for selection and appointment.

(4) Staffing of Selection Committee. The Miami-Dade County Employee Relations Department shall provide staffing to the Selection Committee and as necessary will advertise the acceptance of resumes for the position of Inspector General and shall provide the Selection Committee with a list of qualified candidates. The County Employee Relations Department shall also be responsible for ensuring that background checks are conducted on the slate of candidates selected for interview by the Selection Committee. The County Employee Relations Department may refer the background checks to another agency or department.

The results of the background checks shall be provided to the Selection Committee prior to the interview of candidates.

(c) Contract. The Director of the Employee Relations Department shall, in consultation with the County Attorney, negotiate a contract of employment with the Inspector General, except that before any contract shall become effective, the contract must be approved by a majority of Commissioners present at a regularly scheduled Commission meeting.

(d) Functions, Authority and Powers.

(1) The Office shall have the authority to make investigations of County affairs and the power to review past, present and proposed County and Public Health Trust programs, accounts, records, contracts and transactions.

(2) The Office shall have the power to require reports from the Mayor, County Commissioners, Manager, County agencies and instrumentalities, County officers and employees and the Public Health Trust and its officers and employees regarding any matter within the jurisdiction of the Inspector General.

(3) The Office shall have the power to subpoena witnesses, administer oaths and require the production of records. In the case of a refusal to obey a subpoena issued to any person, the Inspector General may make application to any circuit court of this State which shall have jurisdiction to order the witness to appear before the Inspector General and to produce evidence if so ordered, or to give testimony touching on the matter in question. Prior to issuing a subpoena, the Inspector General shall notify the State Attorney and the U.S. Attorney for the Southern District of Florida. The Inspector General shall not interfere with any ongoing criminal investigation of the State Attorney or the U.S. Attorney for the Southern District of Florida where the State Attorney or the U.S. Attorney for the Southern District of Florida has explicitly notified the Inspector General in writing that the Inspector General's investigation is interfering with an ongoing criminal investigation.

(4) The Office shall have the power to report and/or recommend to the Board of County Commissioners whether a particular project, program, contract or transaction is or was necessary and, if deemed necessary, whether the method used for implementing the project or program is or was efficient both financially and operationally. Any review of a proposed project or program shall be performed in such a manner as to assist the Board of County Commissioners in determining whether the project or program is the most feasible solution to a particular need or problem. Monitoring of an existing project or program may include reporting whether the project is on time, within budget and in conformity with plans, specifications, and applicable law.

(5) The Office shall have the power to analyze the need for, and the reasonableness of, proposed change orders. The Inspector General shall also be authorized to conduct any reviews, audits, inspections, investigations or analyses relating to departments, offices, boards, activities, programs and agencies of the County and the Public Health Trust.

(6) The Inspector General may, on a random basis, perform audits, inspections and reviews of all County contracts. The cost of random audits, inspections and reviews shall, except as provided in (a)-(n) in this subsection (6), be incorporated into the contract price of all contracts and shall be one quarter (1/4) of one (1) percent of the contract price (hereinafter "IG contract fee").

The IG contract fee shall not apply to the following contracts:

- (a) IPSIG contracts;
- (b) Contracts for legal services;
- (c) Contracts for financial advisory services;
- (d) Auditing contracts;
- (e) Facility rentals and lease agreements;
- (f) Concessions and other rental agreements;
- (g) Insurance contracts;
- (h) Revenue-generating contracts;
- (i) Contracts where an IPSIG is assigned at the time the contract is approved by the Commission;
- (j) Professional service agreements under one thousand dollars;
- (k) Management agreements;
- (l) Small purchase orders as defined in Administrative Order 3-2;
- (m) Federal, state and local government-funded grants; and
- (n) Interlocal agreements;
- (o) Grant Agreements granting not-for-profit organizations Building Better Communities General Obligation Bond Program funds.

Notwithstanding the foregoing, the Commission may by resolution specifically authorize the inclusion of the IG contract fee in any contract. Nothing contained in this subsection (c)(6) shall in any way limit the powers of the Inspector General provided for in this section to perform audits, inspections, reviews and investigations on all County contracts including, but not limited to, those contracts specifically exempted from the IG contract fee.

(7) Where the Inspector General detects corruption or fraud, he or she shall notify the appropriate law enforcement agencies. Subsequent to notifying the appropriate law enforcement agency, the Inspector General may assist the law enforcement agency in concluding the investigation. When the Inspector General detects a violation of one (1) of the ordinances within the jurisdiction of the Ethics Commission, he or she may file a complaint with the Ethics Commission or refer the matter to the Advocate.

(8) The Inspector General shall have the power to audit, investigate, monitor, oversee, inspect and review the operations, activities and performance and procurement process including, but not limited to, project design, establishment of bid specifications, bid submittals, activities of the contractor, its officers, agents and employees, lobbyists, County staff and elected officials in order to ensure compliance with contract specifications and detect corruption and fraud.

(9) The Inspector General shall have the power to review and investigate any citizen's complaints regarding County or Public Health Trust projects, programs, contracts or transactions.

(10) The Inspector General may exercise any of the powers contained in Section 2-1076 upon his or her own initiative.

(11) The Inspector General shall be notified in writing prior to any meeting of a selection or negotiation committee where any matter relating to the procurement of goods or services by the County is to be discussed. The notice required by this subsection (11) shall be given to the Inspector General as soon as possible after a meeting has been scheduled, but in no event later than twenty-four (24) hours prior to the scheduled meeting. The Inspector General may, at his or her discretion, attend all duly noticed County meetings relating to the procurement of goods or services as provided herein, and, in addition to the exercise of all powers conferred by Section 2-1076, may pose questions and raise concerns consistent with the functions, authority and powers of the Inspector General. An audio tape recorder shall be utilized to record all selection and negotiation committee meetings.

(12) The Inspector General shall have the authority to retain and coordinate the services of Independent Private Sector Inspectors General (IPSIG) or other professional services, as required, when in the Inspector General's discretion he or she concludes that such services are needed to perform the duties and functions enumerated in subsection (d) herein.

(e) Physical facilities and staff.

(1) The County shall provide the Office of the Inspector General with appropriately located office space and sufficient physical facilities together with necessary office supplies, equipment and furnishings to enable the Office to perform its functions.

(2) The Inspector General shall have, subject to budgetary allocation by the Board of County Commissioners, the power to appoint, employ, and remove such assistants, employees and personnel and establish personnel procedures as deemed necessary for the efficient and effective administration of the activities of the Office.

(f) Procedure for finalization of reports and recommendations which make findings as to the person or entity being reviewed or inspected. Notwithstanding any other provisions of this Code, whenever the Inspector General concludes a report or recommendation which contains findings as to the person or entity being reported on or who is the subject of the recommendation, the Inspector General shall provide the affected person or entity a copy of the report or recommendation and such person or entity shall have 10 working days to submit a written explanation or rebuttal of the findings before the report or recommendation is finalized, and such timely submitted written explanation or rebuttal shall be attached to the finalized report or recommendation. The requirements of this subsection (f) shall not apply when the Inspector General, in conjunction with the State Attorney, determines that supplying the affected person or entity with such report will jeopardize a pending criminal investigation.

(g) Reporting. The Inspector General shall annually prepare and submit to the Mayor and Board of County Commissioners a written report concerning the work and activities of the Office including, but not limited to, statistical information regarding the disposition of closed investigations, audits and other reviews.

(h) Removal. The Inspector General may be removed from Office upon the affirmative vote of two-thirds (2/3) of the whole number of members of the Board of County Commissioners.

(i) Abolition of the Office. The Office of the Inspector General shall only be abolished upon the affirmative vote of two-thirds (2/3) of the whole number of members of the Board of County Commissioners.

(j) Retention of the current Inspector General. Notwithstanding any provision to the contrary, the incumbent Inspector General, Christopher R. Mazzella [²], shall serve a four year term of office commencing on December 20, 2009, as provided in the Memorandum of Understanding approved by Resolution No. R-1394-05, and shall not be subject to the appointment process provided for in Section 2-1076(b)(2).

(Ord. No. 97-215, § 1, 12-16-97; Ord. No. 99-63, § 1, 6-8-99; Ord. No. 99-149, § 1, 10-19-99; Ord. No. 00-105, § 1, 7-25-00; Ord. No. 01-114, § 1, 7-10-01; Ord. No. 05-51, § 1, 3-1-05; Ord. No. 06-88, § 2, 6-6-06, Ord. No. 07-165; § 1, 11-6-07)

² Mr. Chris Mazzella, the County's first Inspector General and the incumbent when this subsection was enacted, retired in April 2013. In August of 2020, an Ad Hoc Selection Committee recommended Felix Jimenez to the Board of County Commissioners as the new Inspector General succeeding Inspector General Mary Cagle who served from February 2014 until her retirement in September 2020.

**Miami-Dade County
Office of the Inspector General**

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or

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