

**MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL**  
**FINAL AUDIT REPORT**  
*Departmental Selection Processes Under the Equitable Distribution Program (EDP)*

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**OIG**  
**APPENDIX A**

**Office of Capital Improvement's Response**



Office of the County Manager  
Capital Improvements  
111 NW 1st Street • Suite 2130  
Miami, Florida 33128-1926  
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miamidade.gov

June 29, 2007

- ADA Coordination
- Agenda Coordination
- Animal Services
- Art in Public Places
- Audit and Management Services
- Aviation
- Building
- Building Code Compliance
- Business Development
- Capital Improvements**
- Citizens' Independent Transportation Trust
- Commission on Ethics and Public Trust
- Communications
- Community Action Agency
- Community & Economic Development
- Community Relations
- Consumer Services
- Corrections & Rehabilitation
- Cultural Affairs
- Elections
- Emergency Management
- Employee Relations
- Empowerment Trust
- Enterprise Technology Services
- Environmental Resources Management
- Fair Employment Practices
- Finance
- Fire Rescue
- General Services Administration
- Historic Preservation
- Homeless Trust
- Housing Agency
- Housing Finance Authority
- Human Services
- Independent Review Panel
- International Trade Consortium
- Juvenile Assessment Center
- Medical Examiner
- Metro-Miami Action Plan
- Metropolitan Planning Organization
- Park and Recreation
- Planning and Zoning
- Police
- Procurement Management
- Property Appraisal
- Public Library System
- Public Works
- Safe Neighborhood Parks
- Seaport
- Solid Waste Management
- Strategic Business Management
- Team Metro
- Transit
- Task Force on Urban Economic Revitalization
- Vizcaya Museum And Gardens
- Water & Sewer

Mr. Christopher Mazzella, Inspector General  
Miami-Dade Office of the Inspector General  
19 West Flagler Street, Suite 220  
Miami, Florida 33130

Re: OIG EDP Draft Report – IG06-53A

Dear Mr. Mazzella:

Thank you for the opportunity to review the Office of the Inspector General's (OIG) draft audit report dated June 11, 2007, regarding the County's user departments' selection process and practices under the Miami-Dade County's Equitable Distribution Program (EDP).

The Office of Capital Improvements (OCI) recognizes our role in addressing issues concerning the EDP and other procedural items noted in the audit report. In summary, OCI is aware of the issues raised and already in the process of addressing most of the recommendations and findings of the draft report. OCI regularly surveys and meets with user departments, the EDP participants and Architectural & Engineering (A&E) organizations in an effort to collect information and recommendations on how to better address the acquisition of professional A&E services, including the EDP. These forums resulted in the attached EDP proposed program revisions to Administrative Order 3-39. The new procedures for Implementing Orders rather than Administrative Orders will be finalized this summer so we will have the proposed revisions considered by the Board of County Commissioners in late summer or early fall.

The Office of Capital Improvements (OCI) offers the following responses and/or clarifications for your consideration:

Item 1, Page 2 of 22

*"First, the Office of Capital Improvements (OCI) should provide training to departmental personnel instructing them on how they can establish reasonable selection criteria, the information that they should be obtaining from prospective firms, and how best to document that information."*

*"Additionally, OCI should revise its written procedures to better define EDP process requirements and to facilitate compliance with AO 3-39, Standard process for construction of capital improvements, acquisition of professional services, construction contracting, change orders and reporting."*

Christopher Mazzella  
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The AO indicates that " the user department shall review the qualifications of the next available prime firms and select the most qualified firm." The technical staff of the departments have been selecting consultants for many years; therefore, departments have an understanding of the criteria used for the selection of consulting services. As a training tool, OCI through the use of the Capital Improvements Information System (CIIS), will provide an information section with the selection criteria guidelines outlined in the Florida Statute 287.055 and a basic selection worksheet that departments shall utilize when making their firm selections. OCI will develop a basic selection worksheet to be used as a basis for selection by the department as well as project documentation. Since the complexity and expertise for each project varies, this will serve as a basis for documentation purposes. OCI will not require departments to submit this information, since it is ultimately the department's responsibility to select the most qualified firm. This form and/or selection factor documentation should be maintained in the project file of the respective user department. If and when a user department needs further clarification, OCI may be contacted.

OCI has provided training seminars on EDP procedures to project management staff of all of the capital departments and the EDP participants. In response to user departments and A & E industry feedback, OCI has implemented a number of recommendations not requiring an AO amendment, and periodically fine tunes the procedural documents. Many more recommendations are addressed in the pending legislative amendment. The general program policies and procedures are posted on the OCI website for ease of reference by all County staff, as well as forwarded to new Project Managers. OCI also periodically sends EDP notices regarding EDP procedure reminders to the Project Managers.

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*"After it is qualified, a firm is placed on a "rotational" list. Each firm is ranked by its year-to-date net County compensation and then categorized by its technical certification(s). The lowest compensated firms within each technical category are given the first opportunity to bid on the next work order."*

The paragraph above does not fully reflect the rotational nor the initial placement of qualified firms in the EDP pool. A participant's EDP rotational position under the qualified technical certification category is based on the firm's Rotational Value (RV) as follows: Three-year net dollars (actual gross prime contract payments minus sub payments) plus a firm's potential earnings of A&E County contracts minus gross prime payments times a factor of 65%, assuming 35% could be paid to sub consultants. Please note that the three lowest RV's in the respective technical category are not selected or asked to "bid" on the work assignment. The selection is strictly based on the firm's qualifications and previous experience with the specific type service requested by the County. Fees are not a factor in the selection of the firm, since they are negotiated after selection.

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*"Additionally, EDP procedures do not provide guidance on the sufficiency of the documentation that departments should maintain."*

OCI's EDP procedures clearly indicate the necessary minimum documentation that departments are required to maintain and submit to OCI. Unfortunately, OCI has historically had difficulties and spent time consuming effort trying to retrieve the required documents on a timely basis from departments. As a result, OCI has adopted a more restrictive policy with departments. OCI is currently in the process of requesting the project status documents from the departments. If they do not provide the required information, the pending items will be reported to the department director and departments will be restricted from utilizing the EDP program until they submit their active project pending records. Once this initial process is completed, OCI will issue a quarterly report to department directors on the status of the EDP projects and pending documentation.

In reference to the documentation required by departments for A & E projects, through the EDP and/or specific service agreement, OCI does not have the authority to mandate what documentation a department maintains. Every department has their own internal procedures. OCI will develop a recommended list of project documents and post it on the CIIS with other OCI recommended procedures.

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*"As for the selection process, we believe that OCI should establish uniformity across County departments by creating an EDP selection worksheet, similar to the EDP Request Form and requiring its use."*

Please refer to Item 1.

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*"Recommendation No. 2. OCI's EDP procedure should conform to those contained in the County's AO 3-39 requiring departments to obtain MURs for all professional service agreements."*

The EDP Section H (1) (a) of AO 3-39 currently indicates that utilization reports are required. There is no reference to Monthly Utilization Reports (MUR's). The EDP Close Out Utilization Report is the current mechanism for work history dollars reported for EDP assignments. Currently, departments are required to submit the Close Out Utilization Report and project final invoice to OCI, and then OCI forwards it to DBD for processing. OCI has addressed the conflicting utilization language found in the old EDP PSA with AO 3-39 in the pending amendment. Also, the new EDP Professional Services Agreement has new utilization language indicating that the reporting requirements will be pursuant to the policies and procedures established by

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OCI and the Department of Procurement Management/Small Business Affairs (DPM/SBA), formerly the Department of Business Development (DBD). OCI will re-evaluate and re-address the EDP utilization submittal requirements with DPM/SBA.

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*"Recommendation No. 3. "The EDP procedures should require that a department document a firm's declination, either by a written declination from the firm itself or by departmental-prepared written correspondence to the firm confirming its declination."*

In accordance with the EDP procedures, an EDP participant would receive a violation if a department selects the firm, offers the assignment and the firm declines. Firm's declining assignment offers has not been an issue. Firms are not responding to inquiries expeditiously and/or they indicate upfront that they are not interested or too busy. The proposed, revised AO language and the new EDP Professional Service Agreement (PSA), better addresses firms' non-responsiveness. An explanation via e-mail to OCI with a copy to the firm should be an acceptable procedure.

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Recommendation No. 4 regarding Schindler.

OCI inactivated Schindler from the EDP program in December 2005. OCI asked that the IG discuss the pending payment issues with Mr. Schindler. GSA will further address this item.

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*"We surveyed all 11 department project managers. The main concerns voiced by the project managers are that the Program could be more efficient if the technical categories were more precisely defined and a firm's experiences were more carefully matched to the technical category."*

The EDP program was created to serve all County departments on smaller miscellaneous A & E services. The Technical Certification categories streamline and categorize the various types of A & E services. The Technical Certification's primary role is to maintain that all technically certified consultants meet the minimum requirements; active state professional licenses, worked on three similar type projects to the category requested within the last ten years. It is ultimately the department's responsibility to conduct and evaluate the specific criteria and select the most qualified firm for the particular type assignment. Also, OCI provides additional firms for departments when the initial firms are not responsive and/or qualified for the services. If the services are very specialized, OCI will conduct a survey of all the firms in the particular Technical Certification (TC) category.



Christopher Mazzella  
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*"...OCI should provide a workshop for new EDP firms, which should include an overview of the permit process and how to prepare documents. Additionally, some project managers believe that they themselves should receive annual training on the OCI's Capital Improvements Information System (CIIS)."*

OCI will conduct workshops for new EDP firms, as well as all active participants to discuss program requirements, procedures, and participants' responsibilities. Any registered professional should know how to process a permit, as well as prepare construction documents. Some departments have document requirements, such as sheet and font size, autocad, and detailing that need to be addressed by the department with the firm when negotiating their work authorization. OCI will also continue to provide training workshops for County project managers to discuss the EDP guidelines, user responsibilities, etc. OCI has provided CIIS training for more than 700 project and construction management staff throughout the various County agencies. Additional training and refresher sessions will be provided for staff that has not received training or would like to repeat the session. During these sessions, OCI may provide general construction administration guidelines to the attendees; however, until a standardized methodology is established for all capital departments to follow, the variations within each of the departments will continue to cause confusion for staff. OCI created a guide for construction management staff to follow as part of the CIIS program, based on industry standard practices.

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*"Recommendations: Prime consultants should be able to choose non-EDP sub-consultants."*

Unless there is a lack of availability in the EDP participants, OCI does not agree with this recommendation. First, the County mandates that any firm performing A & E services for the County must have Pre-Qualification Certification. Furthermore, the EDP guidelines require that projects processed through the EDP be performed by EDP participants only. This program was created to provide opportunities to firms that had not been successful in contracting with the County.

During the development of the EDP program, County staff met with the A&E industry and one of the concerns expressed was that the same firms were receiving all of the County work and not allowing other qualified firms an opportunity.

We are proposing that the AO 3-39 amendment have the option to be more lenient with the sub selections from the pool of EDP participants. However, if we find that the same firms are being utilized over and over, then we will go back to a limited list so that the previous monopoly of a few firms will not resurface again. The program is open to all local firms, regardless of size. Therefore, all interested firms have an opportunity to participate in the program.

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*"OCI should partner with DBD on the certification and qualification process of the EDP firms to ensure that each firm is qualified for their assigned technical categories."*

OCI will work with DBD and evaluate the technical certification requirements to better define and categorize the various services.

*"Additionally, departments should also receive continuing training on CIIS and be timely informed of updated procedures."*

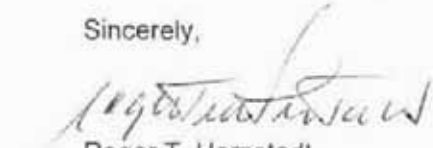
OCI will continue to provide training on the CIIS to County project management staff as well as provide updates on impacting legislation. As soon as the Implementing Order is approved, OCI will issue the revised policies and procedures and conduct another series of mandated workshops for departments and participants.

Page 17 of 22  
Survey of the EDP Program

OCI anticipates that many of the recommendations made by the OIG, user departments, and program participants will be addressed and implemented this year. However, since it is the responsibility of OCI to maintain the program objective to allow opportunities for more qualified community firms as well as streamline and reduce administrative processes, some of the recommendations may not be implemented. OCI continues to make a concerted effort to assist the departments with their EDP service issues.

Should you need further clarification on these issues, or have any questions, please do not hesitate to contact Luisa Millan Donovan, Chief, Professional Services Division at (305) 375-1100.

Sincerely,



Roger T. Hernstadt  
Director

c: Susanne M. Torriente, Assistant County Manager

Attachment

**Office of Capital Improvements (OCI )  
Equitable Distribution Program (EDP)**

**Program Revisions Under Consideration**

Page 1 of 3

**PROGRAM ELIGIBILITY REQUIREMENTS:**

Proposed changes to address: newly formed firms receiving work prior to firm participants with longer tenure, eliminate firms with a place of business in Dade without professional staff at local office, increase experience levels, professional commitment, local participation and firm responsiveness.

**Current Requirement**

A minimum of 1 year in business.

Place of business in Dade County at time of application.

No current requirements regarding staffing.

Execution of Professional Services Agreement (PSA) and proof of insurance required at time of first work assignment.

Program opens twice a year January and June.

**Proposed Requirements**

A minimum of 2 years in business.

Place of business in Dade County for 2 years at time of application.

Require at least one professional A & E staff in Dade office who will also act as the EDP contact

Require executed PSA and Professional Liability Insurance at time of program entry and additional insurances at time of first work assignment.

Open pool all year around.

**EDP ASSIGNMENT RESTRICTIONS:**

Proposed changes to: Establish restrictions to allow increases in EDP opportunities to a greater number of participants.

10 active assignments as sub-consultant per calendar year.

No EDP assignment dollar restrictions.

8 assignments per calendar year.

Maximum of \$250,000 assignments.



Office of Capital Improvements (OCI )  
Equitable Distribution Program (EDP)

Program Revisions Under Consideration

Page 2 of 3

Current Requirement

Proposed Requirements

**FIRMS GENERATED FOR AN ASSIGNMENT:**

Proposed changes to: Adjust number of firms provided for an assignment in response to Departments requests. Assist in expediting selections and increase the availability of specific expertise.

3 prime firms generated per assignment.

Min 3 prime firms generated per assignment.

4 sub-consultants generated for an assignment.

Min 4 consultants when requested by dept.

**UTILIZATION REPORTS:**

Proposed changes to: Include requirement for at least intermittent Utilization Report submittal since the majority of projects take several years to complete.

EDP Close Out form required at project completion.

Develop new EDP utilization reporting.

**POOL ROTATION POSITION:**

Proposed changes to: Adjust the current rotation value to give preference to firm's experience, local offices, as well as work assignment opportunities to existing members.

A firm's position is based on the past three years work history of awards and paid dollars. The rotational value (RV) is calculated based on actual dollars paid and 65% of potential earnings of dollars awarded.

a 25% RV reduction to firms that have been in business for five years or more.

A 25% reduction if the firm's headquarters has been in Dade County for five or more years.

If an existing participant has not received a minimum of \$50,000 in assignment fees, they will remain in the top of the rotation above a new firm participant with a lower dollar value.

Office of Capital Improvements (OCI )  
Equitable Distribution Program (EDP)

June 2005

Program Revisions Under Consideration

Page 3 of 3

Current Requirement

Proposed Requirements

**PROGRAM COMPLIANCE POLICIES**

Proposed changes to: Establish stricter policies and sanctions to deal with regular program non-compliance issues.

Refusal of a work assignment could result in a program violation. Three violations could result

In a firm's inactivation for 180 days.

Automatic inactivation for lapsed Pre-Qualification Certification (PQC) and insurance non-compliance until cured; 30 day inactivation penalty assessed.

Include other non-compliance activities; not responding to dept. or prime inquiry in 48 business hrs, failure to submit project proposals within schedule, refusing work due to lack of interest.

Three violations could result in a 3 year removal from the program.

In addition, three subsequent failures to maintain PQC and insurance to result in a 3 year removal from the program.

**MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL**  
**FINAL AUDIT REPORT**  
*Departmental Selection Processes Under the Equitable Distribution Program (EDP)*

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**OIG**  
**APPENDIX B**

**General Services Administration's Response**



June 22, 2007

2007 JUN 26 AM 9:03

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- ADA Coordination
- Agenda Coordination
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- Vizcaya Museum and Gardens
- Water and Sewer

Christopher Mazzella, Inspector General  
Office of the Inspector General  
19 West Flagler Street, Suite 220  
Miami, FL 33130

SENT VIA FACSIMILE (305) 579-2656  
Total Pages: 4 (including this one)

Re: OIG Audit Draft Report – IG06-53A

Dear Mr. Mazzella:

I am in receipt of your draft report dated June 11, 2007, regarding the selection processes and practices under the County's Equitable Distribution Program (EDP), and more specifically as they relate to GSA Project No. EDP-GS-W20167-CO. I appreciate the opportunity to respond to your findings.

Finding No. 1 (excerpt) *"GSA... stated that the personnel who conducted the selection were no longer with the department..."*

Response: The employee conducting the selection for the EDP consultant for the project being audited is no longer working for Miami-Dade County, and as a result, GSA is not able to produce documentation supporting the selection criteria utilized at the time. We have, however, implemented the EDP – A&E Interview Evaluation Form (copy attached) to be utilized any time EDP firms are interviewed during the selection process; a copy of this form will be placed in the project file. This improvement will allow GSA to maintain consistent, documented support of its selection criteria for EDP firms.

Finding No. 2 (excerpt) *"Several consultants did not include Monthly Utilization Reports (MURs) as part of their payment requisitions submitted to the County"*

Response: GSA agrees that there are discrepancies between the provisions established in Administrative Order (A.O.) 3-39 "Standard process for construction of Capital Improvements, acquisition of professional services, construction contracting, change orders and reporting" and the EDP Procedures established by the Office of Capital Improvements (OCI). While A.O. 3-39 instructs departments to "Collect and submit copies of monthly utilization reports for all awarded professional service agreements to DBD," EDP Procedures clearly state that "...standard DBD A&E utilization reports ARE NOT required for EDP projects." While GSA staff has been requesting Utilization Reports from contractors working on County construction contracts, EDP guidelines and procedures have been followed for EDP assignments and they have therefore not been requested for those assignments. As a result of your findings, GSA staff will now require that consultants submit utilization reports with every payment requisition submitted to the County.





*Delivering Excellence Every Day*

GENERAL SERVICES ADMINISTRATION  
 DESIGN CONSTRUCTION SERVICES DIVISION  
 111 NW 1ST Street, Ste. 2420  
 Miami, FL 33128  
 Phone: (305) 375 4400  
 Fax: (305) 375 1125

### EDP - A/E INTERVIEW EVALUATION FORM

PROJECT TITLE: .....  
 PROJECT LOCATION: .....  
 PROJECT No.: .....  
 DATE: .....

SCORE KEY		SCORE
0.9 to 1.0	Excellent	
0.7 to 0.8	Very Good	
0.4 to 0.6	Acceptable	
0.2 to 0.3	Marginal	
0.0 to 0.1	Poor	

**FACTORS**

**I - PRIME CONSULTANT - OFFICE LOCATION INFORMATION**

- 1. Consultant's Name: .....
- 2. Address: .....
- 3. Phone #: .....
- 4. Fax #: .....
- 5. Email Address: .....
- 6. Miles From Site: .....

0

**II - PRIME CONSULTANT - OFFICE PERSONNEL INFORMATION**

Personnel	Names	Experience	Licensed
1. Principals:	.....	.....	.....
2. Architects / Engineers:	.....	.....	.....
3. Project Managers:	.....	.....	.....
4. Technical / CADD:	.....	.....	.....
5. Clerical:	.....	.....	.....

0

**III - PRIME CONSULTANT - PREVIOUS EXPERIENCE**

Building Types	Subcategory	Experience	Total No.
1. Commercial buildings:	.....	.....	.....
2. Residential Buildings:	.....	.....	.....
3. Educational Facilities:	.....	.....	.....
4. Government Facilities:	.....	.....	.....
5. Industrial Buildings:	.....	.....	.....
6. Parking Facilities:	.....	.....	.....
7. Transit Stations:	.....	.....	.....
8. Other:	.....	.....	.....

0

**IV - PRIME CONSULTANT - CURRENT WORKLOAD**

- 1. Active Projects: .....
- 2. Future Projects: .....
- 3. On-Hold Projects: .....
- 4. Completed Projects: .....

0

**V - PRIME CONSULTANT - DESIGN APPROACH**

- 1. Brief Description of Prime Consultant's Design Philosophy:  
.....
- 2. Approach to Anticipated Problems and Potential Solutions:  
.....

0





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**GENERAL SERVICES ADMINISTRATION**  
**DESIGN CONSTRUCTION SERVICES DIVISION**  
 111 NW 1ST Street, Ste. 2420  
 Miami, FL 33128  
 Phone: (305) 375 4400  
 Fax: (305) 375 1125

**VI - PRIME CONSULTANT - PROJECT CONTROL**

1. Techniques Planned to Control the Schedule and Costs:

2. Personnel Responsible for Schedule and Cost Control:

0

**VII - PRIME CONSULTANT - ESTIMATING EFFECTIVENESS**

1. Techniques Planned for Construction Estimating:

2. Personnel Responsible for Construction Estimating:

0

**VIII - PRIME CONSULTANT - SUSTAINABLE DESIGN**

1. Team Design Philosophy and Method of Implementing:

2. LEED Certification:

0

**IX - PRIME CONSULTANT - MISCELLANEOUS EXPERIENCE & CAPABILITIES**

1. Interior Design:

2. CADD Applications:

3. Value Engineering:

4. Life Cycle Cost Analyses:

4. Environmental & Historic:

5. Energy Conservation:

6. Fast Track Construction:

0

**X - PRIME CONSULTANT - PAST PERFORMANCE REFERENCES**

Contact Name

Company

Phone #

1

2

3

0

**XI - PRIME CONSULTANT - PAST PERFORMANCE EVALUATION RATINGS**

0

**TOTALS**

0

Remarks:

Project Manager:

Project Manager's Name

Date:

Section Manager:

Section Manager's Name

Date:

**MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL**  
**FINAL AUDIT REPORT**  
*Departmental Selection Processes Under the Equitable Distribution Program (EDP)*

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**OIG**  
**APPENDIX C**

**Park and Recreation Department's Response**

# Memorandum



**Date:** June 22, 2007

**To:** Christopher Mazzella  
Inspector General

**From:** Vivian Donnell-Rodriguez  
Director  
Park and Recreation Department

**Subject:** OIG Audit Draft Report – IG06-53A

2007 JUN 22 PM 6:15  
VIVIAN DONNELL-RODRIGUEZ  
DIRECTOR  
PARK AND RECREATION DEPARTMENT

After reviewing the Findings and Recommendations of the audit draft report (IG06-53A) on the County's Departmental Selection Process Under the Equitable Distribution Program (EDP) received from your office on June 11<sup>th</sup>, 2007), the following response is offered for your consideration and inclusion as requested.

Recognizing the lack of uniform guidelines in the County's EDP procedures as stated in the Audit Report, the PARD's Design and Development Division has developed written guidelines to be used on all Park and Recreation Department (PARD) EDP requests (see attached.) Although we believe the current written internal guidelines are in compliance, a second review to ensure that clear and transparent procedures with regard to the selection process documentation, selection criteria, and collection of Monthly Utilization Reports (MURs) will be conducted. Also, the division will centralize staff's function for all EDP requests to ensure procedural consistency and uniformity in project documentation.

The project audited – 40-year Building Re-certification Program - addresses the Park and Recreation Department's (PARD) aging buildings. Once a structure is forty (40) or more years old the Miami-Dade Building Department issues Certification Notices for these facilities. The EDP request and subsequent selection was for multiple awards to three firms to inspect the facilities for which a Notice has been issued and report on the structural and electrical elements of the building. If repairs or upgrades are recommended, the firm is then authorized to prepare the necessary construction drawings to implement necessary repairs/upgrades. A final report of the findings, including recommendations and completed repairs/upgrades is then submitted to the Miami-Dade Building Department as the PARD's response to their Certification Notice for each facility. This is an ongoing program that is funded by the Capital Outlay Reserve Fund.

Our records of the process for the three firms selected disagree with Finding No. 1. PARD's records document the contacts made and the established procedure that was followed. Our records of the selection process documents the following:

- A request through EDP for professional services for the 40-year Building Re-certification Program was initiated in February 2004.
- OCI provided PARD with a total of nine firms.
- All nine firms were initially contacted by the project manager by telephone, pursuant to A.O. 3-39. When interviewing EDP consultants, the selection criteria used is a standard meeting agenda (see attached.) The discussion criteria was based on qualifications, experience, available staff, and the ability to provide the requested service. The results were as follows:
  - Kan Mehta - was non-responsive to the phone calls and therefore was not selected (no further documentation on file)
  - Middlebrooks - declined during the initial phone interview because they do not specialize in 40-year Re-certification work (no further documentation on file)

- Desimone - declined during the initial phone interview because they do not specialize in 40-year Re-certification work (no further documentation on file)
- PSI - was interviewed but later declined because they do not specialize in 40 year recertification (copy of email on file)
- LIVS - was interviewed by phone but was not selected because they had less experience in 40-year Re-certification work than others interviewed (copy of meeting invitation on file)
- Lea + Elliott - was interviewed by phone but later declined by letter and email because they do not specialize in 40-year Re-certification work (copy of letter and email both on file)
- PEICO – was interviewed by phone and selected based on their responses during the interview which demonstrated the ability to provide the services requested (copy of meeting notice and e-mail to OCI on file)
- Nifah – was interviewed by phone and selected based on their responses during the interview which demonstrated the ability to provide the services requested (copy of meeting notice and e-mail to OCI on file)
- Architects International – was interviewed by phone and selected based on their responses during the interview which demonstrated the ability to provide the services requested (copy of meeting notice and e-mail to OCI on file)
- Reports of the selections and declinations were sent to OCI (copy of emails on file)
- The selections were finalized in March 2004 and are still active.

We appreciate the opportunity to provide our response to the Findings. Please do not hesitate to contact me should you have further additional questions.

c: Alex Muñoz, Assistant County Manager  
W. Howard Gregg



## 2580 - Completing CIIS Evaluation for an EDP Consultant

Project Managers in the Design and Development Division must complete an evaluation of their EDP consultant prior to the conclusion of the project, and prior to the authorization of final payment on the Service Order for that consultant. This is done on the Intranet through the Capital Improvements Information System website. The following are the required steps necessary to complete this evaluation.

- On Microsoft Outlook, type <http://intra/ciis>.
- On the left side of the screen, there will be a box titled CIIS. Click on Architecture & Eng.



- This will lead to the Architecture and Engineering page. Towards the center is a heading titled Equitable Distribution Program. Click on EDP Assignment Reports.

Equitable Distribution Program (EDP)

Contact Elizabeth "Biba" Zabowski at 305-375-2824 or [biba@miamidade.gov](mailto:biba@miamidade.gov)

[EDP Miami-Dade Home Page](#)  
[EDP Request Form \(doc\)](#)  
[EDP Dept Procedures \(doc\)](#)  
[EDP Assignment Reports](#)  
[EDP Consultant Evaluation Tutorial](#)  
[EDP AO 3-39 Mandates](#)



- This leads to another screen that asks for the department. Click on the arrow and select PARK AND RECREATION. Another window will appear which asks for the EDP project.

**Welcome - You have READ access to CIIS**

**EDP Projects**

Select Department:

Select EDP Project:

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[EDP Projects Report](#)

- Five additional options will appear after selecting the project. Click on Contractor Evaluation. An evaluation form with 12 questions will appear, each question having a rating from 1 to 4 and N/A, with 4 being superior performance, 3 satisfactory performance, 2 guarded performance, 1 unresponsive performance and, N/A no information. In addition to the questions, there will be a line stating evaluation reviewed by. You will click on the box by Supervisor.
- The final question will be the method of delivery of the evaluation. Overall unresponsive performance by consultant being evaluated requires two delivery methods.
- After completion of the evaluation, it will be forwarded to the Division Chief for sign off, then it must be sent to the consultant in the format(s) selected in the last question.



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## 2515-----Procedures for EDP Consultant Procurement

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All projects assigned to the Design and Development Division will be designed using one of four design professional services: they will be designed either by in-house staff, by project-specific selection process, by a consultant from an existing Professional Service Agreement (PSA), or by a consultant from the Equitable Distribution Program (EDP) pool. The following procedure describes the steps required to obtain an EDP consultant.

- Once it has been determined that a project will be designed by an EDP consultant, the EDP request form is filled out. This form can be found under the Parks TREE under Planning\_and\_Development\Assistant\_Director\_Planning\_&\_Development\EDP\_Request\_Form or under the Miami-Dade website: <http://www.miamidade.gov/CICC/procedures.asp>. Specific information that needs to be included in this form is:
  - a. User Department (Park and Recreation),
  - b. Department Division (Design and Development)
  - c. Submission Date
  - d. Project Manager and Telephone Number
  - e. Department Designee and Telephone Number
  - f. Project Number
  - g. Project Title
  - h. Estimated Project Start Date
  - i. Estimated Project Completion Date
  - j. Special Request (if any)
  - k. Scope of Work (brief description)
  - l. Check if this is a GOB project
  - m. Technical Certification Requirements of the Prime and Sub-consultants
  - n. Estimated Service Order Fee
  - o. Estimated Construction Costs or
  - p. Estimated Study/Planning Fees

This form is to be reviewed by the section head and once approved emailed to OCI at [biba@miamidade.gov](mailto:biba@miamidade.gov) or faxed to 305-350-6265 with copies to the Division Administrative Officer for tracking purposes.

- OCI will email to the PM the same form with a list of three potential prime consultants. The list will include the name of the firm, the contact name, their phone and fax numbers. The PM must contact all three firms to either interview them over the phone or schedule a face-to-face meeting. For this meeting the PM will request to review at least three previous similar projects, their company brochure, and any other information the PM may deem pertinent in determining the best qualified of the three to design the subject project. All interviews must be documented in writing by the PM, and this documentation kept in the project file. If a firm is non-responsive, or declines providing the requested services, this must be reported to OCI.
- Once the three firms have been interviewed and the potential firm selected, the name of this firm is designated as chosen via email to OCI. OCI will then submit to the PM a list of four sub-consultants for each of the technical certifications required, who will in turn forward the list to the chosen prime consultant. The prime consultant chooses the sub-consultants.
- Once the team has been chosen, the PM is to request from the prime consultant a fee proposal. A site meeting should be scheduled with Operations, the prime consultant, and the sub-consultants. The PM will give the prime consultant Document 2105 - Consultant Fee Proposal form electronically, and the prime consultant is given two weeks to prepare and submit their fee proposal.
- Once the fee proposal is received, evaluated, and accepted, the Service Order and ATP are to be written by the PM. If the proposal is not acceptable, the PM will contact the prime consultant and explain which phases of the proposal need to be revised and explain why. The consultant will re-evaluate his fee and resubmit until an acceptable fee is negotiated. For the procedure on writing a Consultant Service Order, see procedure 2525.
- A copy of the final Service Order, as well as any subsequent revised Service Orders, is kept on file by the Division Administrative Officer at the Division Chief's office for the purpose of tracking and maintaining EDP assignments. In addition, the PM must also keep a copy of all Service Orders and all ATP's in his/her project file.

- The PM is to verify that with every invoice the consultant submits, they include an MUR (Monthly Utilization Report) with the invoice. This must be forwarded to DBD.



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## **2594----- Project Closeout Procedure for EDP Consultant**

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When a project being managed by a Design Project Manager is completed by the Construction Services Section, and the PM received the final invoice from the EDP consultant, the PM must ensure the following issues are met:

1. An EDP Close-Out Form, supplied to the PM by OCI, must be completed by the PM, signed, and submitted to OCI.
2. A final consultant evaluation must be completed on the CIIS web site. See procedure 2580.
3. The consultant invoice must be marked "FINAL PAYMENT" after verifying that no other payments for this Service Order will be made to the consultant.
4. The final MUR (Monthly Utilization Report) that accompanied the final invoice is to be forwarded to DBD.
5. The Management and Budget Division must be advised, via email, that remaining funds (if any) on the project work order will not be used, and the work order may be closed.



Agenda for:

EDP (Equitable Distribution Program)  
Prime Consultant Pre-selection Meeting

(Friday, November 15, 2002)

1. Points to be discussed:
  - Firm Staff Qualification.
  - Experience of the firm.
  - The ability of the company to provide the necessary service, based on their staff qualification and their experience.
  
2. Presentation of the scope of work:
  - 40 Year Old Building Re-certification Detailed Scope of Work.
    - a) Structural and Electrical Inspections and Reports.
    - b) Structural and Electrical Cost Estimate Supplementary Reports.
    - c) Construction Drawings.
    - d) Final Structural and Electrical Inspection and Reports.
  
3. Minimum Inspection Procedural Guidelines for Building's Electrical and Structural Re-certification.
  - Blank Forms



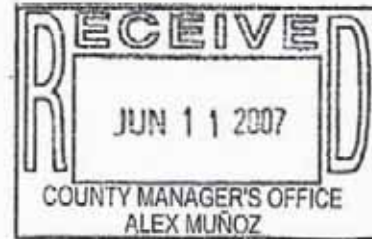
Christopher R. Mazzella  
Inspector General

Alan Solowitz  
Deputy Inspector General

Patra Liu  
Assistant Inspector General  
Legal Counsel

June 11, 2007

Ms. Vivian Donnell Rodriguez, Director  
Miami-Dade Park and Recreation  
275 NW 2<sup>nd</sup> Street, 5<sup>th</sup> Floor  
Miami, Florida 33128



Re: OIG Audit Draft Report – IG06-53A

Dear Ms. Donnell:

Attached please find a copy of the Office of the Inspector General's (OIG) draft audit report regarding our review of County user departments' selection processes and practices under the County's Equitable Distribution Program (EDP). Specifically, audit finding number 1 pertains to the Park Department (Project No. EDP-PR-21090102003E-P2-CO).

The OIG requests your response to this draft report. If you would like your response to be included in the Final Audit Report, you must submit it to the OIG by close of business on June 22<sup>nd</sup>, 2007. If you wish, you may provide your response by fax to (305) 579-2656.

Yours truly,

Christopher Mazzella  
Inspector General

\_\_\_\_\_  
Acknowledgment of Receipt or Proof of Service

\_\_\_\_\_  
Date

cc: Mr. Alex Munoz, Assistant County Manager

**MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL**  
**FINAL AUDIT REPORT**  
*Departmental Selection Processes Under the Equitable Distribution Program (EDP)*

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**OIG**  
**APPENDIX D**

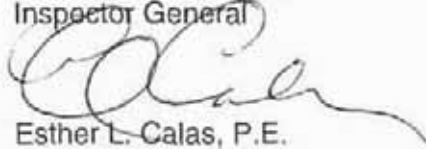
**Public Work Department's Response**

# Memorandum

MIAMI-DADE  
COUNTY

**Date:** June 22, 2007

**To:** Christopher Mazzella  
Inspector General

**From:**   
Esther L. Calas, P.E.  
Director  
Public Works Department

**Subject:** OIG Audit Draft Report – IG06-53A

The Public Works Department (PWD) has conducted a review of Departmental files, met with Traffic Engineering staff, and as a result, offers the following response:

The referenced project in Finding No. 1 of your report was initiated at the request of the Planning and Zoning Department and assigned to PWD employee Mr. Jan Thakkar as he was the responsible person for the selection of Equitable Distribution Program (EDP) firms for the Public Works Traffic Engineering Division.

In order to ensure a fair selection process, Mr. Thakkar established out of his own initiative, a procedure for the selection of consultants comprised of a standardized rating system. His process consisted of utilizing a standard set of questions (Attachment # 1), in order to equally evaluate each firm. The responses to these questions are then rated (Attachment # 2); this grading is recorded and then is used as a quantitative and qualitative measure in the selection process. Therefore, as a matter procedure, the Department's staff follows standardized selection criteria since the inception of the EDP.

Please note that Mr. Thakkar unexpectedly passed away while at work on August 3, 2005. Due to Mr. Thakkar's unexpected death, his numerous projects, assignments and duties had to be quickly reassigned and distributed among his peers. Although historical procedures indicate that the appropriate selection process was most likely followed for the Consultant selection in question; during the transition of the assignment to other employees, staff has been unable to recover the detailed departmental selection criteria for this specific project. Staff did find however, other selection records, which follow the standard process created by Mr. Thakkar.

For this particular case, on April of 2005, the PWD requested a pool of consultants from the Office of Capital Improvements (OCI) to perform a series of traffic studies. On April 20<sup>th</sup>, 2005, OCI forwarded a list of firms for evaluation and selection (Attachment # 3). PWD subsequently performed the negotiation process based on expertise and selected Carter and Burgess. The traffic study that this firm was selected to perform was for the Princeton Charette along SW 248th Street, from US 1 to SW 127th Avenue. This selection was forwarded to OCI, as noted in an email to OCI (Attachment # 4), for approval on May 9, 2005.

Christopher Mazzella  
Page 2

PWD has taken measures and reiterated to staff the importance of ensuring that the selection process of consultants through the EPD pool follows the departmental system set up by Mr. Thakkar. In addition, emphasis has been placed on including all pertinent paperwork in the project file for proper documentation. The circumstances surrounding this particular project are unfortunate and certainly do not represent normal business practice for the Department.

Thank you for the opportunity to provide the Department's comments on your draft audit report.

Attachments

cc: Ysela Llor  
Assistant County Manager



## **QUESTIONS FOR CONSULTANT SELECTION**

1. Please give us the names of three (3) representative projects with their location and the agency(ies) for which they were performed?
  
2. Please give us an idea about the experience (no. of years) of PM and/or staff in the following areas:
  - (a) Roundabout Conceptual Study/Design
  - (b) Bicycle Facility Design
  - (c) Accident Analysis/Geometric Modification Recommendations
  - (d) New Urbanism
  - (e) Coordination with Several County/City Agencies (like Parks & Recreation, Planning & Zoning)
  
3. Please give us information on Project Manager and the staff as to their qualifications with regard to this project (no. of yrs experience, P.E. or not).
  
4. What will you do to minimize the involvement of the County staff: What kind of Quality Control procedures do you use?
  
5. What will you do to make sure that the project is completed within the assigned time frame?

## Consultant Selection Grade Sheet

For EDP Project Number EDP-PW-20070504 (Traffic Safety Study)

Consultant	Study Reports 1-5	Describe Causes 1-5	Describe Counter Measures 1-5	Experience of project Managers 1-5	Ability to meet goal 1-5	Total
FTE	5	4	5	4	5	23
Precision	5	3	3	4	5	20
Gannett Fleming	5	4	4	5	4	22

# Consultant Selection Grade Sheet

EDP Project Number EDP-PW-???

Consultant Name	Study Reports 1-5	Describe Causes 1-5	Describe Counter Measures 1-5	Experience of project Managers 1-5	Ability to meet goal 1-5	Total
						0
						0
						0

# E D P

## Equitable Distribution Program

### EDP SELECTION FORM

OCI Office of Capital Improvements

Miami-Dade County

Section I

User Department	Project Manager	Telephone Number	Date
PUBLIC WORKS DEPARTMENT	THAKKAR, JAN	305-375-1019	04/20/2005
		Fax Number	
<input type="checkbox"/> SPECIAL REQUEST (Attach detailed justification)		305-375-2078	
Project#:	EDP-PW-CMPA-1 <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">1-3</span>	Title: CORRIDOR MASTER PLAN ANALYSIS SW 211 ST	
Scope of Work			
	Prime		Sub
Tech. Cert. Required	0304, 0307, 0309, 0311		0305
Initial Estimated Cost	\$50,000.00		

Notify OCI of your selections ASAP

Section II

Available PRIME Firms

S = Select

T.C. = 0304, 0307, 0309, 0311

D = Declined

new  
9

S	Company Name	Contact Name	Phone#	Fax#	D
	CEB ENGINEERING, INC.	JAVIER BUSTOS	305-591-4440	305-591-4084	
	BCC ENGINEERING, INC.	HONG BENITEZ	305-666-7798	305-666-7735	
	A & P CONSULTING TRANSPORTATION ENG	ANTONIO ACOSTA	305-592-7283	305-593-1594	
	TRANSPORT ANALYSIS PROFESSIONALS, I	JOSEPH DERNING	305-385-0777	N/A	
	EDWARDS AND KELCEY, INC.	JORGE MASPONS	305-279-2298	305-279-5812	
	CARTER & BURGESS, INC.	JOSEPH YESBECK	954-315-1001	954-315-1040	
	HDR ENGINEERING, INC.	GUILLERMO SUERO, P.E.	305-728-7401	305-728-7447	
	MARLIN ENGINEERING, INC.	RAMON SORIA	305-477-7575	305-477-7590	
	F.R. ALEMAN AND ASSOCIATES, INC.	FRANCISCO ALEMAN	305-591-8777	305-599-8749	
	DAVID PLUMMER & ASSOCIATES, INC.	DAVID PLUMMER	305-447-0900	305-444-4986	
	PRECISION ENGINEERING AND SURVEYING	MICHAEL EGBEBIKE	305-715-9090	305-715-9059	
	POST, BUCKLEY, SCHUH & JERNIGAN, IN	ANTHONY CLEMENTE	305-592-7275	305-599-3809	
	REYNOLDS, SMITH AND HILLS, INC.	CATHY SCOTT	786-388-0234	N/A	
	KIMLEY-HORN AND ASSOCIATES, INC.	RODRIGO PIGNA	305-662-6445	305-670-9360	
	PARSONS, BRINCKERHOFF, QUADE & DOUG	RICHARD LEAR	305-261-4785	N/A	
	GANNETT FLEMING, INC.	CARLOS CEJAS	786-845-9540	N/A	
	CIVIL WORKS, INC.	LINDA BELL	305-448-5955	305-448-5466	
	METRIC ENGINEERING INC.	MARY KOPP	305-235-5098	305-251-5894	

Available SUB CONTRACTING Firms

18

Group 1 T.C. = 0305

S	Company Name	Contact Name	Phone#	Fax#	D
	AMBRO, INC.	EMILE AMELEE	305-234-7424	305-234-7832	
	FLORIDA TRANSPORTATION ENGINEERING,	WALLACE HALL	941-639-2818	941-639-4851	
	SANCHEZ-ZEINALI & ASSOCIATES, INC.	BETTY SANCHEZ - ZEINAL	305-477-4467	305-477-2221	
	MACTEC ENGINEERING AND CONSULTING,	MICHELLE BENETIZ	305-826-5588	305-826-1799	
	PISTORINO & ALAM CONSULTING ENGINEE	NASIR ALAM	305-669-2700	305-279-6323	
	TASNIM UDDIN & ASSOCIATES INTERNATI	TASNIM UDDIN	305-264-0884	305-266-1778	
	THE CORRADINO GROUP, INC.	MELISA MARTINEZ	305-594-0735	305-594-0755	
	BURNS & MCDONNELL ENGINEERING COMPA	MELISSA HRAGYRIL	305-461-2233	305-666-2355	
	CIVIL-CADD ENGINEERING, INC.	JOHN KING	305-690-9797	305-690-9796	

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Attachment

211 87

Elizabeth: We have finalized the selection of three consultants for the three corridor master plans as follows:

R-667-03

- Garter & Burgess, Inc..... SW 248 Street
- HDR, Inc.....SW 211 Street
- R S & H.....SW 264 Street

# 20030264 crm

I am following up with notification to each consultant with their respective corridor for study.

Jan Thakkar, P.E.  
Head, Traffic Operations Section  
Public Works - Traffic Engg Div  
Tele (305)375-1019  
Fax (305)375-2548



FTE-

Attachment 4



**Hays, David (PWD)**

---

**From:** Thakkar, Janak (PWD)  
**Sent:** Monday, May 09, 2005 4:57 PM  
**To:** Hays, David (PWD)  
**Cc:** Hasan, Muhammed, (PWD); Cohen, Jeff (PWD)  
**Subject:** Corridor Master Plan Analysis

The final fee proposal amount for the three consultants is as follows:

<u>Consultant</u>	<u>Corridor</u>	<u>Fee</u>
• Carter & Burgess, Inc.....	SW 248 Street	\$49,563.26
• HDR, Inc.....	SW 211 Street	\$48,425.00
• R S & H.....	SW 264 Street	\$49,952.58

Please initiate preparation work orders to these three firms immediately as a priority items. I will have the Assignments and Agreement forms signed by the three consultants tomorrow. Thank you!

*Jan Thakkar, P.E.*  
Head, Traffic Operations Section  
Public Works - Traffic Engg Div  
Tele (305)375-1019  
Fax (305)375-2548

**MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL**  
**FINAL AUDIT REPORT**  
*Departmental Selection Processes Under the Equitable Distribution Program (EDP)*

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**OIG**  
**APPENDIX E**

**Schindler Architects, Inc.'s Response**

# SCHINDLER ARCHITECTS, Inc.

1212 East Broward Blvd., Suite 203, Ft. Lauderdale, FL 33301

Tel.: (954) 921 1322, Fax: (954) 761 1811

July 2, 2007

Mr. Christopher Mazzella  
Inspector General  
19 West Flagler Street  
Suite 220  
Miami, Florida 33130

Re.: OGI Draft Report – 1G06-53A

Via Fax: (305) 579 2656

Dear Mr. Mazzella:

On June 11, 2007, I was presented with the above referenced Report, which pertains to the services of Schindler Architects, Inc. (Schindler), for the GSA project, Building Addition to Fleet Management Repair Shop No. 3C.

As previously stated, the selection of Schindler for the GSA project resulted from the excellent record of previously completed projects for numerous Miami Dade County Departments and Agencies. We have built our reputation throughout twenty some years of continuous architectural practice and will firmly defend the quality of our work to the extent that is necessary.

I welcomed this report not only for a fact of learning about an unsubstantiated performance evaluation of Schindler's services, but also for identifying the weak points in our handling of required administrative procedures. It has been observed that we did not submit a MUR with any of our 11 payment requisitions. I must admit that I have overlooked to implement this requirement, as also I do not recall on receiving any training or specific instructions towards the issuance of our invoices, where in an approval process no objection was ever made. To avoid such non-compliance of a consultant in the future I would like to suggest a provision of a brief mandatory "web" seminar that could identify all necessary components for an accepted administrative project handling.

In late October 2004, Schindler and its sub-consultants were issued a service order to provide architectural, civil, structural, mechanical, electrical and plumbing design services for the expansion of GSA Fleet Management Repair Shop 3C. This initial Work Authorization No. 1 was further expanded with Work Authorization No. 2, which was issued on March 18, 2005.

2007 JUN -9 PM 12: 24

Based on our records, the following sequence of events pertaining to the project development fully manifests that Schindler Architects never failed in providing final signed and sealed design plans for the project. The accomplished architectural work, which was produced in a timely manner, represents an excellent quality that met required approvals throughout all phases of the project. Because of a specific teaming procedure of EDP program, where each firm executed its own Professional Services Agreement with Miami-Dade County, I request that any further evaluation of Schindler's performance to be conducted separately from the performance evaluation of the engineering disciplines, sub consultants.

The Sequence of Events:

- A. Notice to Proceed: October 2004
- B. Pre-submittal meeting with Building Department: October 12, 2004
- C. Schematic Design Submittal: November 2004
- D. Design Development Submittal: December 2005
- E. Construction Documents/ Permit Process:
  1. Progress Review of engineering drawings, January 21, 2005:  
Suramy Cabrera wrote (Jan. 21, 2005): "We have seen nothing of MEP (UCI Engineering) as of yet and the structural was very incomplete. I have set the schedule for the end of February."
  2. Status of Construction Documents April 5, 2005:  
Jacek Schindler wrote to all sub consultants: "We cannot fail our submittal scheduled for tomorrow (04/06/05); therefore I am expecting all requested sets at our office by this afternoon at the latest."
  3. **Construction Documents signed and sealed for permit process issued on April 6, 2005.**
  4. Building Department comments received on May 26, 2005.
  5. Revisions to final Construction Documents:
    - a. On June 2, 2005 Jacek Schindler wrote to all sub consultants: "Please be advised that our 100% Submittal for the above referenced project has been scheduled for June 20, 2005."
    - b. On July 15, 2005, Suramy Cabrera (GSA) wrote: "Jacek, please have the building department sets, along with the revised sheets and written responses to the comments, both the building department and ours, delivered to me by Friday, July 22, 2005."
    - c. Original structural engineering drawings completed on April, 2005 by R.J. Behar Company were not acceptable. The entire work had to be re-drawn. On August 30, 2005, Jacek Schindler wrote: " Suramy, after numerous messages finally we were able to talk to the Structural Engineer (Donald Hodgetts) this morning. Based on our conversation he should be finished with remaining work by



- this coming Friday (September 2, 2005). Same status applies to UCI."
- d. On August 30, 2005, Suramy Cabrera (GSA) wrote: "I am preparing to send Elizabeth Zabowski (EDP) an update on this project, including the months of delays this Friday. If I do not get the drawings, then I am left with no other alternative."
  - e. **On September 9, 2005, Jacek Schindler wrote to Suramy Cabrera (GSA): "I have not received any new drawings from our Engineers. As you may know, the structural design had to be completely re-done (R.J. Behar Co.) and MEP (UCI Engineering) had additional tasks to be finished (Fire Protection). The Architecture has been ready for weeks. Once before I have asked you if you would like just our drawings to be resubmitted, to show that we have complied with required revisions in a timely manner. Your preference was to get back the entire set. In view of Engineers delay, I would like to forward to you immediately Architectural Construction Documents, so our performance will stand alone in your evaluation."**
  - f. **On September 12, 2005, Suramy Cabrera (GSA) responded: "Jacek, If you'd like, go ahead and send your drawings. Elizabeth (Zabowski, EDP) is aware that the issue is with the subs and not you."**
  - g. **Construction Documents (Architecture) signed and sealed re-submitted for permit process on September 22, 2005.**
  - h. Construction Document (Engineering) re-submitted (October) for permit process directly to GSA Office, bypassing required Architect's review and coordination.
  - i. December 20, 2005, R.J. Behar submitted Structural and Civil drawings to Schindler. Requested payment for completed work was issued.
  - j. December 2005, invoice for 95% completion was issued.
  - k. On January 2006 Suramy Cabrera wrote: "I would like to schedule a meeting to go over the building department comments. Please make sure that Architectural drawings are coordinated with engineering and that all comments are addressed prior to this meeting."
  - l. Jacek Schindler asked for Schindler Architects to be removed from EDP list, as he has joined URS Corporation to pursue new work. Presently Schindler organization still remains in an active status and will continue its operation until all previous commitments are fulfilled.



- m. **June 2006, GSA requested all Construction Documents to be re-submitted. Schindler and R.J. Behar complied.**
- n. On June 27, 2006 Jacek Schindler wrote to UCI Engineering: "There is no record of any submittal to us of last September, or prior, or after. We made several requests for progress drawings without your organization follow up." Based on a meeting with Jose Camero, Alfred Leon and Elizabeth Zabowski of Miami Dade County on August 7, 2006, Schindler was instructed to withhold any payment to UCI until proof of work is provided in a form of hard copies and also electronic files.
- o. The correspondence issued to UCI Engineering on April 27, 2007, resulted with submittal of their documents directly to GSA. Schindler was instructed to proceed with pending payment by the following message from Alfredo Leon, GSA Project Manager: "I have received the drawings via e-mail and consider them acceptable. Please proceed in paying them."
- p. Payment was issued immediately. Uncoordinated work of UCI is still pending required revisions.

The above Sequence of Events fully manifests that despite the total absence of required collaboration on the part of sub consultants, Schindler has always complied with providing signed and sealed design plans for the project in a timely manner. Furthermore, all payments to the sub consultants were made upon the fulfillment of their obligations, as it was expected by the GSA and EDP offices. The poor performance of the sub consultants, which required the total re-engineering of previously developed drawings and performing review and coordination work twice, has substantially prolonged Schindler's involvement with the project beyond originally planned and estimated.

**As I was recently asked by GSA to bring the Fleet Shop project to a final permit approval, I hope that with my continuous dedication to this assignment, a proper assistance from my sub consultants and the support from the client, it will be done.**

I thank you for allowing me to provide you with my response.  
Please let me know if you have any further comments.

Sincerely,

  
Jacek Schindler, AIA  
Principal