




Memorandum



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To: Honorable Daniella Levine Cava, Mayor, Miami-Dade County
Honorable Chairman Jose “Pepe” Diaz, Chairman
and Members, Board of County Commissioners

From: Felix Jimenez, Inspector General 

Date: April 12, 2021

Subject: Public Housing and Community Services Committee Meeting of April 15, 2021,
Agenda Item 3E, - *FY 2020 Documentary Stamp Surtax Funding and State
Housing Initiatives Partnership Funding and Home Investment Partnerships
Funding Allocation*; OIG Ref: 20-0017-O

INTRODUCTION

By way of this memorandum, the Office of the Inspector General (OIG) shares with you, information regarding our monitoring and review of this past year’s Request for Application (RFA) funding cycle that resulted in the proposed funding award recommendations tendered for your approval. Our review focused on the application and evaluation process and did not include the technical merits of the proposals.

This item is scheduled for consideration at the Public Housing and Community Services Committee meeting on April 15, 2021 as Agenda Item 3E.

BACKGROUND

The OIG has been proactively, with the cooperation of PHCD, monitoring the RFAs for Surtax/HOMES/SHIP funds for several years. The RFA process, while empaneling a Selection Committee, is not the same process as a competitive procurement selection process. Specifically, the RFA process is exempt from the County’s Cone of Silence pursuant to County Code nor is it bound by the requirements of Implementing Order (IO) 3-34 governing the Formation and Performance of Selection Committees. It is, however, in all other respects, governed by Florida’s Sunshine Law, Florida Statutes Ch. 286 and Public Records Law, Florida Statutes Chapter 119.

As a result of the OIG’s past monitoring and recommendations, PHCD, although not bound by IO 3-34, has adopted certain best practices to improve the transparency of the RFA process. For example, PHCD now requires all Selection Committee members to complete and submit Neutrality Affidavits—a practice required in competitive procurements. As another best practice, PHCD now audio records all Selection

Committee meetings. As part of our continuing commitment to provide oversight, and ensure compliance and transparency in the RFA process, we monitored the FY2020 RFA cycle.

FY 2020 RFA PROCESS

The OIG'S monitoring included a review of the Request for Funding Application and responses, physical attendance at Selection Committee meetings, review of audio recordings of meetings, scoresheets, score tabulation, and funding recommendations.

The Selection Committee's evaluation process began on November 18, 2020, with its Kick-Off Meeting, soon after the expiration of the Governor's Executive Order EO 20-69. The Executive Order provided an exemption for physical quorums, allowing public meetings to be conducted virtually via communications technology. The RFA Selection Committee Kick-Off meeting was among the first, in County government, to be conducted wherein a physical presence of the Selection Committee voting members would be required while still under the social distancing guidelines and recommendations in place during the COVID-19 pandemic. An OIG Contract Oversight Specialist physically attended two of the three regular meetings, reviewed the audio recording of the missed meeting, and attended two additional meetings.

The first of the additional meetings was needed because not all sections of the some proposals had been retrieved from ZoomGrants (the on-line portal where applicants submit their applications, including uploaded documents). The Selection Committee members were requested to evaluate and score the additional proposals. The second of the additional meetings was convened at the suggestion of the OIG, as we noted that certain official actions (e.g., tabulating the composite scores and final ranking of the applicants) needed to be done during the official "sunshine" meeting. These tasks were being completed after the meeting adjourned, with the results being emailed to the members, but should have been done during the meeting. At the suggestion of the OIG, and concurrence of the County Attorney's Office, PHCD reconvened the Selection Committee in order to perform these steps during the sunshine meeting.

By way of a separate memorandum, our detailed observations and recommendations related to the FY 2020 RFA process have been shared with the PHCD Director. As noted above, the OIG observed some procedurally non-compliant activities, which were later fully rectified by PHCD in reconvening the Selection Committee one last time. As we stated in our memorandum to the PHCD Director, the OIG wishes to make clear that these observed short comings relate solely to conducting the RFA process. We do not believe that they, in any way, affect the scoring and ranking of the proposals.

The recommendations proffered by the OIG suggest improvements to how the meetings are conducted, including the development of a written procedure, use of scripts by the Committee Chairperson, format of score tabulations, and virtual access by members of the public. The OIG will follow-up with PHCD regarding its acceptance and implementation of these recommendations.

The Office of the Inspector General expresses its appreciation and thanks the representatives of PHCD and the CAO for the courtesies and cooperation extended during this review.

cc: Geri Bonzon-Keenan, County Attorney
Gerald Sanchez, First Assistant County Attorney
Jess McCarty, Executive Assistant County Attorney
Morris Copeland, Chief Community Services Officer
Michael Liu, Director, Director Public Housing and Community Development
Yinka Majekodunmi, CPA, Commission Auditor