

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Wednesday, July 12, 2017 3:51 PM
To: Sanchez, Rodzandra (COE)
Subject: James F. Murley, Selection Committee Member re: E16-RER-01 Design Services for Developing Adaption Strategies to Respond to Sea Level Rise (Voting Conflict, 2-year Rule, Appearance of Impropriety) INQ 17-174
Attachments: Resume.pdf; Neutrality-Disclosure-Form-Jim_Murley.pdf; LOR_E16-RER-01.pdf

INQ 17-174 Amores

From: Centorino, Joseph (COE)
Sent: Wednesday, July 12, 2017 3:47 PM
To: Amores, Cristina (ISD) <Cristina.Amores@miamidade.gov>; Williams, Curt (ISD) <Curt.Williams@miamidade.gov>
Cc: Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Sanchez, Gerald (CAO) <Gerald.Sanchez@miamidade.gov>; Kirtley, Eddie (CAO) <Eddie.Kirtley@miamidade.gov>; Singer, Miriam (ISD) <SINGER@miamidade.gov>
Subject: INQ 17-174 James F. Murley, Selection Committee Member re: E16-RER-01 Design Services for Developing Adaption Strategies to Respond to Sea Level Rise (Voting Conflict, 2-year Rule, Appearance of Impropriety)

Ms. Amores:

You have requested an opinion concerning whether Mr. James F. Murley, Chief Resilience Officer for Miami-Dade County RER, who has been appointed as a member of the selection committee on E16-RER-01, Design Services for Developing Adaption Strategies to Respond to Sea Level Rise, may serve on the committee. This question is based upon his disclosure in a recently filed Neutrality Form from Mr. Murley, indicating that he was previously the Executive Director of the South Florida Regional Planning Council (SFRPC) which has been listed by Arcadis U.S. Inc, one of the respondents, as a sub-consultant. It is unusual to me that a regional public agency, such as the SFRPC would be involved as part of a team of a private firm that is competing for a County contract, but I understand from our conversation that that is the case here.

I do not see a prohibition under the County Ethics Code that would legally bar Mr. Murley from participating in this matter. Section 2-11.1(v) of the Code, which deals with voting conflicts for members of County advisory boards, such as selection committees, would not apply here since there is no current employment relationship with SFRPC. The reverse two-year rule, under Section 2-11.1(x), which bars County employees from participating in contract-related duties on behalf of the County with a former employer for a period of two years following termination of the employment relationship (the period involved here is less than two years) would also not apply since that section is limited to employment relationships with a "for-profit firm, partnership or other business entity, and SFRPC is, to my knowledge, a quasi-governmental entity, not a for-profit business entity.

Nonetheless, it is my opinion that Mr. Murley should not serve on this committee, considering that he was employed as the Executive Director of a subconsultant for one of the responding firms within the last two years. The holding of such an important position with a subconsultant of one of the competing firms would create an obvious appearance of favoritism on this committee that would not reflect well on the fairness of the process leading to the selection committee's recommendation. As we have said in past opinions, procurement decisions are among the most sensitive and scrutinized decisions in the County regarding procedural fairness. While Mr. Murley may have expertise that would be valuable in this selection process, his close, relatively recent relationship with one of the parties affected by the decision should disqualify him from serving on this selection committee.

Sincerely,

Joseph M. Centorino

Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 579-2594
Fax: (305) 579-0273
ethics.miamidade.gov



From: Amores, Cristina (ISD)
Sent: Tuesday, July 11, 2017 3:24 PM
To: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>
Cc: Williams, Curt (ISD) <Curt.Williams@miamidade.gov>
Subject: E16-RER-01 Design Services for Developing Adaption Strategies to Respond to Sea Level Rise

Good afternoon Mr. Centorino,

As we are preparing for the first tier meeting on the subject mentioned solicitation, we received a Neutrality Form from Mr. James F. Murley, a committee member, indicating that he was previously the Executive Director of the South Florida Regional Council and resigned from that position on November 2, 2015. After careful review, we notice that a team assembled by Arcadis U.S. Inc., has included the South Florida Regional Planning as a sub-consultants. At your convenience, please review and advise if this would constitute a conflict, whereby Mr. Murley should be replaced.

Attached please find a copy of Mr. Murley's resume, Neutrality Form and the List of Respondents for said project. Should you need additional information, please let me know.

Thank you for your assistance on this matter.

Cristina Amores, A/E Consultant Selection Coordinator
Miami-Dade County Internal Services Department
111 N.W. 1st Street, 13th Floor, Miami, FL 33128
305-375-4259
Cristina.Amores@miamidade.gov
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COMMITTEE MEMBER NAME: James F. Murley

**EVALUATION/SELECTION COMMITTEE MEMBER
NEUTRALITY/DISCLOSURE FORM**

**ISD PROJECT NO. E16-RER-01: DESIGN SERVICES FOR DEVELOPING AN
ADAPTATION STRATEGY TO RESPOND TO SEA LEVEL RISE**

**(Conflict of Interest and Code of Ethics Ordinance, Section 2-11.1 of the Code of Miami-Dade County
and
Implementing Order 3-34, Formation and Performance of Selection Committees)**

As a member of the Evaluation/Selection Committee to evaluate proposals for the referenced solicitation, I acknowledge that I will comply with the Conflict of Interest and Code of Ethics Ordinance, Sec. 2-11.1 of the Code of Miami-Dade County. I understand that this Ordinance precludes me from, among other things, soliciting, accepting or agreeing to accept any gift as a result of my service on the Committee; from exploiting my position to secure special privileges or exemptions for myself or others; and from disclosing confidential information acquired by reason of my Committee service, or utilizing such confidential information for my personal gain or benefit, or for gain or benefit of any immediate family member. I further acknowledge that I understand Implementing Order 3-34, Formation and Performance of Selection Committees, requires my removal from the Committee if an owner, officer or employee of any proposer to the solicitation was my immediate supervisor during the preceding eighteen months.

I certify that I do not control or direct any financial or other interest held personally or on behalf of any member of my immediate family (spouse, domestic partner, parents, stepparents, children and stepchildren) in any vendor or affiliate of any vendor under consideration by this Committee, including any proposed subcontractor.

I certify that to the best of my knowledge none of the owners, officers or employees of the proposers for this solicitation was my immediate supervisor during the preceding eighteen-month period.

I certify to the best of my knowledge that I, and the members of my immediate family, are not now employed by and have not been employed by any vendor or affiliate of such vendor under consideration by this Committee, including any proposed subcontractor.

I certify that I have not been employed by any of the proposers during the preceding period of twenty-four months.

I certify that I have not, and will not, have any communications regarding this solicitation to the extent prohibited by the "Cone of Silence."

I certify to the best of my knowledge that I have not had discussions, conversations, offers, agreements or arrangements for future employment with any entity or affiliate of such entity under consideration by this Committee, including any proposed subcontractor.

I certify to the best of my knowledge that I have not solicited or accepted, nor will solicit or accept, gratuities, favors or anything of value with respect to the above referenced solicitation.

I certify to the best of my knowledge that I have no business interest of any kind with any vendor or affiliate of such vendor under consideration by this Committee, including any proposed subcontractor, which might appear to create a conflict of interest except as noted below:

1. On November 2, 2015, I resigned as Executive Director of the South Florida Regional Council
2. My spouse, Amy Kimball Murley, resigned from Bermello, Ajamil & Partners on April, 1999.

Pursuant to Resolution R-449-14, the Commission Auditor shall conduct background checks on members serving on Evaluation/Selection Committees and their immediate family members (spouse, domestic partner, parents, stepparents,

children and stepchildren). Such background checks shall be limited to verifying items 1, 2, and 3 below. I certify to the best of my knowledge that the information provided below is accurate.

Evaluation/Selection Committee Member: (Please attach resume)

Legal Name: James Fenimore Murley

Maiden Name (if applicable): _____

Date of Birth: March 27, 1946

Gender: Male

Address: 1890 SW 21st Street, Miami, FL 33145

Legal name and date of birth for immediate family members (spouse, domestic partner, parents, stepparents, children and stepchildren)

Name of Immediate Family Member	Date of Birth	Relationship
Amy Claire Kimball Murley	3/25/1964	Spouse
Bowen Murley	12/3/2001	Daughter
Seneca Murley	3/27/1969	Daughter

(Additional information may be added on separate sheet(s) with your signature and date).

1. Do you, or any of your immediate family, have control or any direct financial or other interest in any vendor, affiliate of any vendor, or proposed subcontractor of any vendor under consideration by this Evaluation/Selection Committee? Yes ___ No

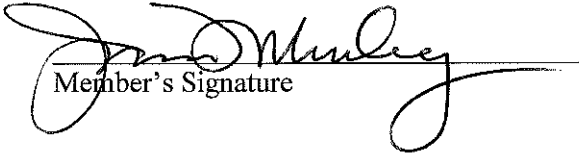
If Yes, please explain.

2. Have any of the owners, officers, or employees of any vendor under consideration by this Evaluation/Selection Committee ever been an immediate supervisor to you or any of your immediate family during the preceding eighteen (18) months? Yes ___ No

If Yes, please explain:

3. Are you, or any of your immediate family, currently or previously employed by any vendor, affiliate of any vendor, or proposed subcontractor of any vendor under consideration by this Evaluation/Selection Committee?
Yes ___ No

If Yes, please explain.



Member's Signature

James Fenimore Murley
Member's Name (Print)

Chief Resilience Officer
Member's Title

July 10, 2017
Date

JAMES F. MURLEY

Jim Murley has spent over four decades working on public policy issues important to Florida. He a leader on sustainability and climate change issues, has helped author sections of the 2014 National Climate Assessment and has been appointed to federal, state, and local task forces focusing on energy and climate issues. Mr. Murley was the founding Executive Director of 1000 Friends of Florida, a statewide not-for-profit focused on sound community planning and protection of natural resources. He then served as Secretary of the Department of Community Affairs under Governor Lawton Chiles working on comprehensive planning, economic development, energy and emergency management issues. Murley spent over 10 years with Florida Atlantic University overseeing research on urban and environmental issues. He currently holds the position of Executive Director of the South Florida Regional Planning Council. He has served on various state commissions, including the Florida Housing Finance Corporation, Florida Communities Trust and was Chairman of the Florida Energy and Climate Commission. He is a graduate of Leadership Florida and a Fellow in the National Academy for Public Administration.

EDUCATION

Bachelor of Arts, History, Denison University, Granville, Ohio

Juris Doctor in Land Use and Environmental Law, George Washington University, Washington, D.C.

PROFESSIONAL EXPERIENCE

South Florida Regional Planning Council Executive Director 2011-present

Since 2011 Jim Murley has served as the Executive Director of the South Florida Regional Planning Council. In that position he formed the Southeast Florida Regional Partnership, a collaborative regional planning activity funded by a three year, \$4.25 million, grant from the U.S. Department of Housing and Urban Development. The Partnership is a collaboration of the South Florida and Treasure Coast Regional Planning Councils in cooperation with over 200 public, private, not for profit and civic organizations covering a geographic area from Key West to Vero Beach and representing a population of over 6.2 million people. The final Regional Prosperity Plan (www.seven50report.org) identifies keys urban and natural system priorities. While at the Council Murley also oversaw

a \$200,000 grant from the National Oceanic and Atmospheric Administration to produce a Local Government Guidebook for Adaptation Action Areas.

Florida Atlantic University

1999 – 2011

Director, Center for Urban and Environmental Solutions

Assistant Dean for External Relations

From 1999 to 2011, Murley served in various positions at Florida Atlantic University (FAU). In 2009, he was appointed Assistant Dean for External Relations for the College for Design and Social Inquiry at FAU. His responsibilities included working with the Dean, faculty and students to further their involvement in civic activities throughout the South Florida region and educating public and private leaders on the resources available at the College. In addition, he served as Senior Advisor for Energy and Climate Change with the Florida Center for Environmental Studies, College of Science. In that capacity he assisted the University's interdisciplinary initiatives in climate change adaptation and offshore renewable energy.

Murley first came to FAU in 1999 as Director of the University's Center for Urban and Environmental Solutions (CUES). With the support of the National Commission on Energy Policy (NCEP) the Center produced a study entitled "Florida Resilient Coasts: A Statewide Policy Framework for Adapting to Climate Change." The Center completed a sequel study entitled "Southeast Florida's Resilient Water Resources: Adaptation to Sea Level Rise and other impact from Climate Change." The Center also conducted a five year program of applied regional research with support of the John D. and Catherine T. Mac Arthur Foundation.

Florida Department of Community Affairs

Secretary

1995 – 1998

Murley was appointed Secretary of DCA in 1995, by Governor Lawton Chiles. As Secretary, Murley oversaw the Department's growth management functions, including the Key West and Florida Keys Areas of Critical State Concern. He directed the state emergency management operations during the landfall of four hurricanes in 1998. He also directed the Department's housing, energy and urban development programs and served on the Board of Directors for Florida Housing Finance Agency, Florida Communities Trust, the South Walton County Conservation and Development Trust, and the Conservation Land Advisory Committee.

**1000 Friends of Florida
Executive Director
1987 – 1995**

In 1987, Murley was asked to head a newly founded 1000 Friends of Florida, a not-for-profit public interest group that works to promote sensible planning, economic development and environmental preservation. During his tenure the organization became a significant statewide force in growth management issues and he was asked to serve on various task forces, including Governor Graham's Commission for a Sustainable South Florida.

**Florida Department of Community Affairs
Director of Resource Planning and Management
1983 - 1987**

Murley joined the Florida Department of Community Affairs (DCA) in 1983 as its Director of Resource Planning and Management, where he worked with local governments on housing, planning and transportation issues.

**National Atmospheric and Oceanographic Administration, Coastal
Zone Management
Regional Manager, Gulf and Islands Region; Congressional Liaison;
Director, Coastal Programs Office
1977 - 1983**

Jim Murley worked for the National Atmospheric and Oceanographic Administration in coastal zone management in increasingly responsible positions. In addition to other accomplishments, he assisted the State of Florida obtain federal approval of its Coastal Zone Management Program. He worked with Congress to successfully pass significant amendments to the Coastal Zone Management Act.

SERVICE AND RECOGNITION

Murley is a Fellow in the National Academy of Public Administration. He has served on several study panels for the Academy including reviews of the National Marine Sanctuary Program and a three year study for the Environmental Protection Agency on how issues of environmental justice are addressed at the federal, state and local government levels. Recently, Murley participated on an Academy panel requested by the United States Congress to review the proposed National Climate Service in the National Oceanic and Atmospheric Administration, United States Department of Commerce.

Murley serves on a number of organizations focused on finding solutions to climate change challenges facing Florida. He served as Vice Chair of the Miami Dade County Sea Level Rise Task Force and is a member of the Broward County Climate Change Task Force and the City of Miami Sea Level Rise Committee. In

2008 he was appointed by Governor Charlie Crist as the first Chair of the Florida Energy and Climate Commission. The Commission was charged with implementing over \$180 million in federal economic recovery funds from the United States Department of the Energy.

He served on the Board of Directors of the Florida Ocean Alliance (FOA). FOA published a July, 2009 report, "Moving Ahead: The Next Step in Ocean Management in Florida", calling for improved management of Florida's ocean and coastal resources. In 2011, the FOA released a follow up report at their annual Florida Oceans Day entitled, "Oceans of Opportunity: Managing the Uses of Florida's Ocean Spaces." In 2001, Murley received FOA's initial Ocean Champion award presented by Jean-Michael Cousteau of the Ocean Futures Society. He also serves as Chair of the national Board of Directors of the Coastal States Stewardship Foundation (CSSF). The CSSF partners with the Coastal States Organization to provide coastal states with opportunities to engage in public private partnerships and secure nontraditional sources of funding and expertise for their endeavors.

Murley is a member of the Florida Chamber of Commerce Foundation's Six Pillars Strategic Plan Advisory Committee, Board of Directors of the Greater Fort Lauderdale Alliance and the Steering Committee for the Miami-Dade County Beacon Council's One Community One Goal program. He is a founding board member of the American Society of Adaptation Professionals. He also serves on the Urban Land Institute's national advisory committee for their Building Healthy Communities Program. He is an alumnus of Leadership Florida, Class IX and named to both the Achievement and Athletic Halls of Fame of Chagrin Falls, Ohio High School Alumni organization. Murley received a Bronze Star for Service with the United States Army while serving in Vietnam.



**MIAMI DADE COUNTY
INTERNAL SERVICES DEPARTMENT**

LIST OF RESPONDENTS

Project Name: Design Services for Developing Adaptation Strategies to Respond to Sea Level Rise

Project No.: E16-RER-01

Measures: 6% SBE/A&E

No. of Agreements: 1

Contract Type: PROJECT SPECIFIC

Submittal Date: 06/16/2017

Team No.: 1

Prime Local Preference: Yes

Prime Name: BERMELO, AJAMIL & PARTNERS, INC.

FEIN No.: 591722486

Trade Name:

Sub-Consultants Name	Trade Name	Subs FEIN No.
a. STEARNS, CONRAD AND SCHMIDT, CONSULTING ENGINEERS, INC.	SCS ENGINEERS	540913440
b. GANNETT FLEMING, INC.		251613591
c. CUMMINS CEDERBERG, INC.		272129033
d. HDR ENGINEERING, INC.	HDR ACQUISITION SERVICES, INC.	470680568
e. BURO HAPPOLD ENGINEERING P.C		134039627
f. PUBLIC UTILITY MANAGEMENT AND PLANNING SERVICES, INC.		651028223
g. MAGBE CONSULTING SERVICES, INC.		650679927

Team No.: 2

Prime Local Preference: Yes

Prime Name: ATKINS NORTH AMERICA, INC.

FEIN No.: 590896138

Trade Name: POST, BUCKLEY, SCHUH & JERNIGAN, INC. (PBS&J)

Sub-Consultants Name	Trade Name	Subs FEIN No.
a. PLUS URBIA, LLC	PLUS URBIA DESIGN	272163647
b. STEARNS, CONRAD AND SCHMIDT, CONSULTING ENGINEERS, INC.	SCS ENGINEERS	540913440
c. MAGBE CONSULTING SERVICES, INC.		650679927
d. RISK MANAGEMENT SOLUTIONS, INC		770223411

Team No.: 3

Prime Local Preference: Yes

Prime Name: STANTEC CONSULTING SERVICES, INC.

FEIN No.: 112167170

Trade Name:

Team No.: 4

Prime Local Preference: Yes

Prime Name: DOVER KOHL & PARTNERS (THE IMAGE NETWORK, INC.)

FEIN No.: 561577628

Trade Name:

Sub-Consultants Name	Trade Name	Subs FEIN No.
a. AECOM TECHNICAL SERVICES, INC. F/K/A EARTH TECH, INC.		952661922
b. G.M. SELBY, INC.		611511533
c. DUANY PLATER-ZYBERK & COMPANY, LLC		202563570



MIAMI DADE COUNTY
INTERNAL SERVICES DEPARTMENT

LIST OF RESPONDENTS

Project Name: Design Services for Developing Adaptation Strategies to Respond to Sea Level Rise

Project No.: E16-RER-01

Measures: 6% SBE/A&E

No. of Agreements: 1

Contract Type: PROJECT SPECIFIC

Submittal Date: 06/16/2017

Team No.: 5

Prime Local Preference: No

Prime Name: HELLMUTH, OBATA & KASSABAUM, INC.

FEIN No.: 431723985

Trade Name:

Sub-Consultants Name	Trade Name	Subs FEIN No.
a. DUANY PLATER-ZYBERK & COMPANY, LLC		202563570
b. LEITER, PEREZ & ASSOCIATES, INC.		592746730
c. MOFFATT & NICHOL, INC.		951951343
d. 4CITY CONSULTING, INC.		811280224
e. BJH ADVISORS		272172290

Team No.: 6

Prime Local Preference: Yes

Prime Name: ARCADIS U.S., INC.

FEIN No.: 570373224

Trade Name: ARCADIS G&M, INC.

Sub-Consultants Name	Trade Name	Subs FEIN No.
a. WSP USA INC		111531569
b. NOVA CONSULTING, INC.		650577672
c. HR&A ADVISORS, INC.		208767681
d. WEST8 URBAN DESIGN AND LANDSCAPE ARCHITECTURE		262886541
e. WAGGONER & BALL ARCHITECTS APC		720843433
f. SALTERMITCHELL, INC		331202378
g. SOUTH FLORIDA REGIONAL PLANNING		591358704
h. AKERMAN, SENTERFITT & EIDSON, P.A.		593117860

Team No.: 7

Prime Local Preference: Yes

Prime Name: ARQUITECTONICA GEO CORPORATION

FEIN No.: 203114143

Trade Name:

Sub-Consultants Name	Trade Name	Subs FEIN No.
a. MILLER, LEGG & ASSOCIATES, INC.		650563467
b. CALVIN, GIORDANO & ASSOCIATES, INC.		650013869
c. LEITER, PEREZ & ASSOCIATES, INC.		592746730
d. DELTARES USA, INC.		263402690
e. KEREN PRIZE BOLTER / FLORIDA ATLANTIC UNIVERSITY		
f. CHARLES WALDHEIM / HARVARD UNIVERSITY		



MIAMI DADE COUNTY
INTERNAL SERVICES DEPARTMENT

LIST OF RESPONDENTS

Project Name: Design Services for Developing Adaptation Strategies to Respond to Sea Level Rise

Project No.: E16-RER-01

Measures: 6% SBE/A&E

No. of Agreements: 1

Contract Type: PROJECT SPECIFIC

Submittal Date: 06/16/2017

Team No.: 8

Prime Local Preference: Yes

Prime Name: HAZEN AND SAWYER, P.C.

FEIN No.: 132904652

Trade Name:

Sub-Consultants Name	Trade Name	Subs FEIN No.
a. CH2M HILL, INC.		590918189
b. A.D.A. ENGINEERING, INC.		592064498
c. MILIAN, SWAIN & ASSOCIATES, INC.		650094999
d. COLLECTIVE WATER RESOURCES LLC		455472666
e. UNIVERSITY OF NORTH CAROLINA ASHEVILLE		473141545
f. THE RAND CORPORATION		951958142