

*City of North Miami Beach, Florida*

**Ana M. Garcia, City Manager**

---

April 16, 2014

Honorable Mayor George Vallejo  
Honorable Vice Mayor Beth Spiegel  
Honorable Councilman Anthony F. DeFillipo  
Honorable Councilwoman Barbara Kramer  
Honorable Councilwoman Marlen Martell  
Honorable Councilman Frantz Pierre  
Honorable Councilwoman Phyllis S. Smith

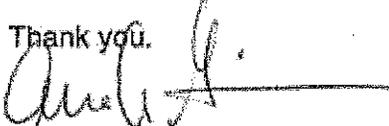
Dear Mayor and Council,

Approximately 20 months ago, our City embarked on a process that included issuing RFP 2012-20 for Solid Waste and Recycling Services. Additionally, in November of 2012 Kessler Consulting was awarded the RFP for the assessment of our Solid Waste and Recycling operation where our City paid over \$50,000 for the analysis and accompanying report. Your directive to me, your Manager, was to evaluate the reports and assessments and communicate our findings. I set up a committee that included Assistant City Manager Mac Serda, Finance Director Jan Smith, CPA, Director of Public Works Esmond Scott, Interim Director of Utilities Barbra Trinka, CPA and me. We have carefully and systematically reviewed all reports and data, our operations and all the financials pertaining to the operation of Solid Waste and Recycling. Furthermore, the financials being reviewed were audited numbers, as our objective was to be thoroughly prepared to meet with each and everyone of you and any resident who was interested in a one-on-one meeting prior to our scheduled workshop set for April 22<sup>nd</sup>.

In order to allow you plenty of time to further review the presentation prior to the workshop, we have attached the presentation as well as three possible options to facilitate a decision. It is the goal of our committee to bring closure to this pending issue and move on to all the exciting projects that lie ahead for our City.

Furthermore, we are enthusiastically waiting to commence the planning and implementation of the priorities derived from the conclusion of our strategic planning.

Thank you.

  
Ana M. Garcia  
City Manager

## Batista, Sylvia (COE)

---

**From:** Centorino, Joseph (COE)  
**Sent:** Monday, October 20, 2014 3:49 PM  
**To:** 'Smith, Jose'  
**Cc:** Batista, Sylvia (COE)  
**Subject:** RE: Bid Amount Question to NMB CM

Thanks, Jose. I will pass it on.

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**From:** Smith, Jose [mailto:JoseSmith@citynmb.com]  
**Sent:** Monday, October 20, 2014 3:46 PM  
**To:** Centorino, Joseph (COE)  
**Subject:** FW: Bid Amount Question to NMB CM

Joe:  
Can you share this with Sylvia.  
I'm available to speak with her at her convenience.  
Thanks.  
Jose

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**From:** O'Connor, Brian  
**Sent:** Monday, October 20, 2014 3:33 PM  
**To:** Smith, Jose  
**Cc:** William Serda; Garcia, Ana  
**Subject:** FW: Bid Amount Question to NMB CM

Mr. Smith,

Per your request here is the response I sent related to the sanitation question sent to the City Manager from Mr. Kazan.

Brian K. O'Connor, C.P.M., A.P.P.  
Chief Procurement Officer  
City of North Miami Beach  
Phone: (305) 948-2946  
Fax: (305) 957-3522  
Cell (305) 338-4800  
[brian.oconnor@citynmb.com](mailto:brian.oconnor@citynmb.com)



### **Principles and Practices of Public Procurement:**

Accountability, Ethics, Impartiality, Professionalism, Service, Transparency

**[CLICK HERE TO SEE OUR BIDS ON-LINE!](#)**

**“The Man who says he can, and the man who says he can not.. Are both correct”**

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**Sent:** Monday, October 06, 2014 11:46 AM  
**To:** Garcia, Ana  
**Cc:** William Serda  
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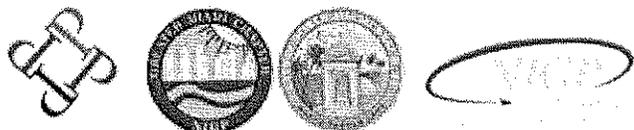
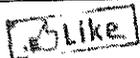
Ms. Garcia,

The dollar amount represented on the Admin Review document was merely based on the bonding amount that each Vendor provided in their submission. This was given to the review committee as information only. The review committee was advised that these numbers were from the bond amounts (not the actual cost for the vendor providing the service) and that further analysis should be done based on customer usage to determine the actual results as seen at starting 26:24 of the below attached video. The review committee did further extensive analysis to determine the actual real costs based on the customer usage.

<http://purchasing.citynmb.org/201204Reviewmeet.wmv>

Thank you

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**From:** Garcia, Ana  
**Sent:** Saturday, October 04, 2014 8:15 PM  
**To:** O'Connor, Brian  
**Cc:** Smith, Jose; Vallejo, George  
**Subject:** Fw: NMB: Bid Amount Question to NMB CM

Hello Brian,

When you get a chance, let's discuss the below. I know you have a ton on your plate so no rush.

Sent via BlackBerry by AT&T

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**From:** M Kazan <mikazan@msn.com>  
**Date:** Thu, 2 Oct 2014 09:36:02 -0400  
**To:** NMB\_CityManager<nmbmgr@citynmb.com>; ana.garcia@citynmb.com<ana.garcia@citynmb.com>  
**Cc:** Katherine\_Fernandez<katherinefernandezrundle@miamisao.com>; Joseph Centorino<centori@miamidade.gov>; Michael Murawski<murawsk@miamidade.gov>; Rhonda Sibilia COE<rhonda@miamidade.gov>; Miriam Ramos COE<msramos@miamidade.gov>; CouncilAll External<councilext@citynmb.com>; nmbmayor<nmbmayor@citynmb.com>; Anthony.Defillipo@citynmb.com<anthony.defillipo@citynmb.com>; Barbara.kramer@citynmb.com<barbara.kramer@citynmb.com>; Beth.Spiegel@citynmb.com<beth.spiegel@citynmb.com>; frantz.pierre@citynmb.com<frantz.pierre@citynmb.com>; George.vallejo@citynmb.com<george.vallejo@citynmb.com>; Marlen.martel@citynmb.com<marlen.martell@citynmb.com>; phyllis.smith@citynmb.com<phyllis.smith@citynmb.com>; Pamela Latimore<pamela.latimore@citynmb.com>; MiamiDadeEthics<ethics@miamidade.gov>  
**Subject:** NMB: Bid Amount Question to NMB CM

Ana Garcia  
City Manager  
City of North Miami Beach

October 2nd, 2014

Hon. City Manager,

Hopefully I find you in good health.

The figures presented immediately below, are from the City of North Miami Beach website:  
*Waste Services of Florida, Inc.: \$5,721,400.00*  
*Waste Pro of Florida, Inc.: \$5,379,000.00*  
*Waste Management, Inc. of Florida: \$6,600,000.00*  
*Choice Environmental Services of Broward: \$5,800,000.00*

These were the final bid figures presented by the City of North Miami Beach (CNMB) in April of 2012, obtained from vendors bidding for Solid Waste Collection Services and Recycling RFP that was sent out in earlier months. Please note:  
*Waste Pro of Florida, Inc.: \$5,379,000.00.* This figure will be referenced.

### **Standards To Be Met**

#### **Miami-Dade County Citizens' Bill of Rights - Truth in Government:**

**Sec. (A) (2) Truth in Government. No County or municipal official or employee shall knowingly furnish false information on any public matter, nor knowingly omit significant facts when giving requested information to members of the public.**

Not accusing anyone of anything, however being a municipality of Miami-Dade County, every **Municipal Official AND Employee** have to follow the guide above.

### **Question**

My question to you is, why have not the Waste Pro figure, an amount of \$5,379,000.00 (five million, three hundred and seventy nine thousand dollars) taken from our City of NMB website, being used, referred to or referenced to, in all Presentations thereafter that followed? These include the December 3rd, 2013, Kessler Consulting Inc (KCI) presentation, the April 22nd, 2014 Solid Waste Workshop presentation and all other public conversations at Publicly advertised NMB City Council and or NMB Council Conference meetings.

### **City Manager's Letter of Introduction**

At an NMB Council Conference Meeting on "Solid Waste Workshop" held on April 22nd, 2014, an excerpt is taken from a letter of introduction, dated April 16, 2014 to The City of North Miami Beach Mayor and City Council, written by Ana M. Garcia, City Manager - *"In November of 2012 Kessler Consulting was awarded the RFP for the assessment of our Solid Waste and Recycling operation where our City paid over \$50,000 for the analysis and accompanying report...."..... "I set up a committee that included Assistant City Manager Mac Serda, Finance Director Jan Smith, CPA, Director of Public Works Esmond Scott, Interim Director of Utilities Barbra Trinko, CPA and me. **We have carefully and systematically reviewed all reports and data....**"* end of quotes. (For reference only, please see attachment 5, "Ana Garcia Letter of Introduction")

You have stated your committee **"have carefully and systematically reviewed all reports and data.."**. One would grasp immediately the data and report on our City NMB is relevant. Why not?

As part of the committee presentation and argument, the City of North Miami Beach used the Kessler Report (Kessler Consulting Inc - KCI) to support the outsourcing of the City's Solid Waste and Recycling Services. Despite saying that you and the Committee, **have carefully and systematically reviewed all reports and data**, an amount of \$3,962,036 that was used as "Waste Pro Example" if outsourced, was allowed to be used in the KCI Report instead of Waste Pro's actual recorded bid amount of \$5,379,000 as per City NMB website records. Why not use the actual bid amount of \$5,379,000 found on our City NMB website? Is this data not relevant?

### **Data Sources**

The attachments provided are for references only. These can be found on the City of North Miami Beach website, public records requested and or provided at North Miami Beach City Council and or Council Conference Meetings. Links are provided to actual videoed meetings.

### **Cost Comparison**

The prices provided by vendor Waste Pro as per City NMB records in 2012, is different (36% higher) than what was presented by the consulting company, Kessler Consulting Inc, hired by City NMB. For whatever reason, it is NOT the price used by Kessler Consulting Inc, in their presentation "Solid Waste & Recycling Services Assessment - Operational Planning for the Future" as "Waste Pro Example", presented to the City of North Miami Beach City Council on December 3, 2013 at a Council Conference meeting.

The video of the entire meeting can be viewed at the link:

<http://view.earthchannel.com/PlayerController.aspx?&PGD=nmiafl&eID=28>

(For reference only).

### **Real Bid Costs and where to find them**

In April of 2012, the City of North Miami Beach presented the final figures obtained from vendors for Solid Waste Collection Services and Recycling RFP that was sent out earlier. These were as follows:

Waste Services of Florida, Inc.: \$5,721,400.00  
Waste Pro of Florida, Inc.: \$5,379,000.00  
Waste Management, Inc. of Florida: \$6,600,000.00  
Choice Environmental Services of Broward: \$5,800,000.00

Where can this be found? At the City NMB website, by clicking on the link below:

[http://www.citynmb.com/index.a...Type=B\\_EV&SEC=%7b87C05223-A2FB-30D-9611-04F4E9CC5A57%7d&DE=%7b7A8B9242-3945-4013-A5BE-A3689BFFD555%7d](http://www.citynmb.com/index.a...Type=B_EV&SEC=%7b87C05223-A2FB-30D-9611-04F4E9CC5A57%7d&DE=%7b7A8B9242-3945-4013-A5BE-A3689BFFD555%7d)

Scroll down to "Admin Review Form" (look right side) and click on this.  
 (Tip: Hold down Ctrl and tap on + to enlarge, or - to reduce size of email viewing)  
 The 1st file attached, to this email named "201204-admin-review-56k", shows all the prices proposed by the bidding companies. Please see snap shot below:

**ADMINISTRATIVE REVIEW**  
**REQUEST FOR PROPOSAL 3612-04**  
**SOLID WASTE COLLECTION SERVICES AND RECYCLING**

VENDOR NAME	WSI	WastePro	WM	Choice Environmental
	Waste Services of Florida, Inc	Waste Pro of Florida, Inc	Waste Management Inc of Florida	Choice Environmental Services of Broward, Inc.
Subbie*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BBB**	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
EPLS***	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
City required forms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5% Bid Bond	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Business Tax receipt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*FL Department of State Division of Corporations  
 \*\*Better Business Bureau  
 \*\*\*Excluded Parties List System

	WSI	WastePro	WM	Choice Environmental
BID BOND	\$1,430,350.00	\$1,344,750.00	\$1,620,000.00	\$1,450,000.00
PROPOSAL	\$28,807,000.00	\$28,895,000.00	\$33,050,000.00	\$29,000,000.00
YEARLY	\$5,121,400.00	\$5,376,000.00	\$6,600,000.00	\$5,800,000.00

The Evaluation Committee comprised of, Janette Smith, Shari Kamali, Mac Serda, Roslyn Weisblum and Jeff Ann.

A snap shot of Evaluation Committee:

Reviewer No.	Name
1	Janette Smith
2	Shari Kamali
3	Mac Serda
4	Roslyn Weisblum
5	Jeff Ann

By clicking on "Evaluation Committee - Cumulative Scores" on the City's website link provided above, my 4th attachment named "Cumulative score cards" on this email will be shown providing the names above. These attachments are here for easier references.

Roslyn Weisblum [former City Manager (CM)] was no longer with City NMB at the time of KCI presentation in Dec, 2013. Her contract as CM after six months, was not renewed.

Shari Kamali (former Public Services Director) was no longer with City NMB for the April, 22, 2014 presentation. She left in Jan. 2014.

Janette Smith, (Finance Director) is leaving (or left) and would be retained as a consultant as per Sept 23rd, 2014 Council Meeting rantings.

### **Lower Figure Presented**

Kessler presented a lower figure, \$3,962,036 as Waste Pro Example. Please see 2nd attach named "Atch 1 KCI submitted Waste Pro bid pg 22" for reference only. This figure is 26% lower than Waste Pro actual proposal of \$5,379,000.00 as per CNMB records . Why allow KCI to present this without being corrected?

### **Argument Used**

On the April 22, 2014 at the Solid Waste Workshop presentation at NMB Council Conference Meeting, the handout presented on page 16 states: In Brief, Kessler Report Conclusion: "NMB cannot compete with outsourced provider. Kessler's recommendation reduces services, displace employees with no options for employment and still cost \$711,454 more than outsourcing" Please see 3rd attached named "Kessler Report Conclusion pg 16" for reference only. This was mentioned as reason for outsourcing.

The video of this presentation can be viewed at the link:

<http://view.earthchannel.com/PlayerController.aspx?PGD=nmiafl&eID=316>

(For reference only).

**The first attachment, "201204-admin-review-56k", a very important page taken from the NMB website that stated Waste Pro actual bid as \$5,379,000 and NOT \$3.962 million as KCI stated, was omitted from all presentations named above. Why?**

### **Checks and Balances?**

Did City NMB **"carefully and systematically reviewed all reports and data"** as you the City Manager stated? Have the City checked and verified and compared what KCI provided and the vendors bids as per City NMB records? The page presented today can be seen on our City North Miami Beach website. It had been there since 2012. Where the bid figures not real? Should this not be a part of the "reports and data" you the NMB City Manager was referring to? (Reference first link above or my 1st attachment, please).

These bid prices as per City NMB records, were to last three years if any were implemented. ALL were much higher than City (KCI Model) submitted. Why not use the TRUE figure from our City NMB data base?

Thanking you for you time and consideration.

Sincerely,

Mubarak Kazan  
15564 NE 12th Ave  
City of North Miami Beach  
"Where People Care"

CC:

Katherine Fernandez-Rundle, State Attorney  
State Attorney's Office  
1350 NW 12th Ave  
Miami, FL 33236

Joseph Centorino, Esq., Director  
Miami Dade County Commission on Ethics and Public Trust  
19 West Flagler St,  
Miami, FL 33130

Michael P. Murawski, Advocate  
Miami Dade County Commission on Ethics and Public Trust  
19 West Flagler St,  
Miami, FL 33130

PLEASE NOTE: The City of North Miami Beach is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All e-mail sent and received is captured by our servers and kept as public record.

**Batista, Sylvia (COE)**

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**From:** Centorino, Joseph (COE)  
**Sent:** Monday, October 20, 2014 3:49 PM  
**To:** 'Smith, Jose'  
**Cc:** Batista, Sylvia (COE)  
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*Kessler Consulting - Repins*  
*Don Ross*

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*12/3/13*

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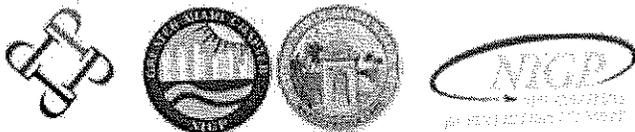
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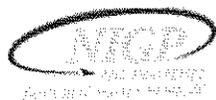
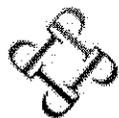
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Wesley

Thank you

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**To:** NMB\_CityManager<nmbmgr@citynmb.com>; ana.garcia@citynmb.com<ana.garcia@citynmb.com>  
**Cc:** Katherine\_Fernandez<katherinefernandezrundle@miamisao.com>; Joseph Centorino<centori@miamidade.gov>; Michael Murawski<murawsk@miamidade.gov>; Rhonda Sibilia COE<rhonda@miamidade.gov>; Miriam Ramos COE<msramos@miamidade.gov>; CouncilAll External<councilext@citynmb.com>; nmbmayor<nmbmayor@citynmb.com>; Anthony.Defillipo@citynmb.com<anthony.defillipo@citynmb.com>; Barbara.kramer@citynmb.com<barbara.kramer@citynmb.com>; Beth.Spiegel@citynmb.com<beth.spiegel@citynmb.com>; frantz.pierre@citynmb.com<frantz.pierre@citynmb.com>; George.vallejo@citynmb.com<george.vallejo@citynmb.com>; Marlen.martel@citynmb.com<marlen.martell@citynmb.com>; phyllis.smith@citynmb.com<phyllis.smith@citynmb.com>; Pamela Latimore<pamela.latimore@citynmb.com>; MiamiDadeEthics<ethics@miamidade.gov>  
**Subject:** NMB: Bid Amount Question to NMB CM

Ana Garcia  
City Manager  
City of North Miami Beach

October 2nd, 2014

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### **Real Bid Costs and where to find them**

In April of 2012, the City of North Miami Beach presented the final figures obtained from vendors for Solid Waste Collection Services and Recycling RFP that was sent out earlier. These were as follows:

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Choice Environmental Services of Broward: \$5,800,000.00

Where can this be found? At the City NMB website, by clicking on the link below:

[http://www.citynmb.com/index.aspx?Type=B\\_EV&SEC=%7b87C05223-A2FB-430D-9611-04F4E9CC5A57%7d&DE=%7b7A8B9242-3945-4013-A5BE-A3689BFFD555%7d](http://www.citynmb.com/index.aspx?Type=B_EV&SEC=%7b87C05223-A2FB-430D-9611-04F4E9CC5A57%7d&DE=%7b7A8B9242-3945-4013-A5BE-A3689BFFD555%7d)

Scroll down to "Admin Review Form" (look right side) and click on this.  
 (Tip: Hold down Ctrl and tap on + to enlarge, or - to reduce size of email viewing)  
 The 1st file attached, to this email named "201204-admin-review-56k", shows all the prices proposed by the bidding companies. Please see snap shot below:

**ADMINISTRATIVE REVIEW**  
 REQUEST FOR PROPOSAL 2012-04  
 SOLID WASTE COLLECTION SERVICES AND RECYCLING

VENDOR NAME	WSI Waste Services of Florida, Inc.	WastePro Waste Pro of Florida, Inc.	WM Waste Management Inc of Florida	Choice Environmental Choice Environmental Services of Broward, Inc.
Subbie*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BBB**	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
EPLS***	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
City required forms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5% Bid Bond	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Business tax receipt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*FL Department of State Division of Corporations  
 \*\*Better Business Bureau  
 \*\*\*Excluded Parties List System

	WSI	WastePro	WM	Choice Environmental
BID BOND	\$1,450,000.00	\$1,344,750.00	\$1,650,000.00	\$1,450,000.00
PROPOSAL	\$28,007,000.00	\$26,395,000.00	\$33,050,000.00	\$29,000,000.00
YEARLY	\$5,721,450.00	\$5,375,000.00	\$8,000,000.00	\$5,800,000.00

The Evaluation Committee comprised of, Janette Smith, Shari Kamali, Mac Serda, Roslyn Weisblum and Jeff Ann.

A snap shot of Evaluation Committee:

Reviewer No.	Name
1	Janette Smith
2	Shari Kamali
3	Mac Serda
4	Roslyn Weisblum
5	Jeff Ann

By clicking on "Evaluation Committee - Cumulative Scores" on the City's website link provided above, my 4th attachment named "Cumulative score cards" on this email will be shown providing the names above. These attachments are here for easier references.

Roslyn Weisblum [former City Manager (CM)] was no longer with City NMB at the time of KCI presentation in Dec, 2013. Her contract as CM after six months, was not renewed.

Shari Kamali (former Public Services Director) was no longer with City NMB for the April, 22, 2014 presentation. She left in Jan. 2014.

Janette Smith, (Finance Director) is leaving (or left) and would be retained as a consultant as per Sept 23rd, 2014 Council Meeting rantings.

### **Lower Figure Presented**

Kessler presented a lower figure, \$3,962,036 as Waste Pro Example. Please see 2nd attach named "Atch 1 KCI submitted Waste Pro bid pg 22" for reference only. This figure is 26% lower than Waste Pro actual proposal of \$5,379,000.00 as per CNMB records . Why allow KCI to present this without being corrected?

### **Argument Used**

On the April 22, 2014 at the Solid Waste Workshop presentation at NMB Council Conference Meeting, the handout presented on page 16 states: In Brief, Kessler Report Conclusion: "NMB cannot compete with outsourced provider. Kessler's recommendation reduces services, displace employees with no options for employment and still cost \$711,454 more than outsourcing" Please see 3rd attached named "Kessler Report Conclusion pg 16" for reference only. This was mentioned as reason for outsourcing.

The video of this presentation can be viewed at the link:

<http://view.earthchannel.com/PlayerController.aspx?PGD=nmiafl&eID=316>

(For reference only).

**The first attachment, "201204-admin-review-56k", a very important page taken from the NMB website that stated Waste Pro actual bid as \$5,379,000 and NOT \$3.962 million as KCI stated, was omitted from all presentations named above. Why?**

### **Checks and Balances?**

Did City NMB **"carefully and systematically reviewed all reports and data"** as you the City Manager stated? Have the City checked and verified and compared what KCI provided and the vendors bids as per City NMB records? The page presented today can be seen on our City North Miami Beach website. It had been there since 2012. Where the bid figures not real? Should this not be a part of the "reports and data" you the NMB City Manager was referring to? (Reference first link above or my 1st attachment, please).

These bid prices as per City NMB records, were to last three years if any were implemented. ALL were much higher than City (KCI Model) submitted. Why not use the TRUE figure from our City NMB data base?

Thanking you for you time and consideration.

Sincerely,

Mubarak Kazan  
15564 NE 12th Ave  
City of North Miami Beach  
"Where People Care"

CC:

Katherine Fernandez-Rundle, State Attorney  
State Attorney's Office  
1350 NW 12th Ave  
Miami, FL 33236

Joseph Centorino, Esq., Director  
Miami Dade County Commission on Ethics and Public Trust  
19 West Flagler St,  
Miami, FL 33130

Michael P. Murawski, Advocate  
Miami Dade County Commission on Ethics and Public Trust  
19 West Flagler St,  
Miami, FL 33130

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## **Batista, Sylvia (COE)**

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**From:** Batista, Sylvia (COE)  
**Sent:** Thursday, January 15, 2015 6:08 PM  
**To:** brian.oconnor@citynmb.com  
**Subject:** Bid figure used in Kessler presentation.

Hello Mr. O'Connor,

Thank you for the report provided.

However, I've been trying to apply the formula that you described at the 4/2/12 Review Committee meeting (starting at 26:24 of the meeting), but have not arrived at the figure used by Kessler in its presentation. Basically, there is an yearly bid figure from Waste Pro of \$5,379,000 and a 5% bid bond which according to your description should be formulated to arrive at the figure used by Kessler in its presentation of \$3,962,036. In a nutshell, this is the issue of Kazan's complaint that I am trying to answer.

Please provide me with the formula that was applied to the annual bid figure of \$5,379,000 that resulted in the sum used in Kessler's presentation of \$3,962,036. Please do so in writing so that I can analyze and understand the applications used that resulted in the transformation of the figure. Thank you.

Best regards,

**Sylvia Batista, Investigator**  
**Miami Dade County Commission on Ethics and Public Trust**  
**19 West Flagler Street**  
**Suite 820**  
**Miami, FL 33130**  
**(305) 579-2594**  
**(305) 579-1093 – Fax**

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## Batista, Sylvia (COE)

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**From:** O'Connor, Brian <Brian.OConnor@citynmb.com>  
**Sent:** Wednesday, October 22, 2014 11:42 AM  
**To:** Batista, Sylvia (COE)  
**Cc:** Trinka, Barbara; Garcia, Ana; William Serda; Smith, Jose  
**Subject:** RE: Bid amt used by Waste Pro  
**Attachments:** 3452\_0001.pdf

Mrs. Batista,

As per our discussion please find for review the cost analysis done by staff. Page 2 will provide you with the comparative analysis against the City operation (as of that date) and the proposed vendors. Please feel free to contact us if you need any further follow up information.

Thank you,

Brian K. O'Connor, C.P.M., A.P.P.  
Chief Procurement Officer  
City of North Miami Beach  
Phone: (305) 948-2946  
Fax: (305) 957-3522  
Cell (305) 338-4800  
[brian.oconnor@citynmb.com](mailto:brian.oconnor@citynmb.com)



### **Principles and Practices of Public Procurement:**

Accountability, Ethics, Impartiality, Professionalism, Service, Transparency

**[CLICK HERE TO SEE OUR BIDS ON-LINE!](#)**

**“The Man who says he can, and the man who says he can not.. Are both correct”**  
— Confucius

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**From:** Batista, Sylvia (COE) [<mailto:SBATIST@miamidade.gov>]  
**Sent:** Monday, October 20, 2014 5:42 PM  
**To:** O'Connor, Brian  
**Subject:** Bid amt used by Waste Pro

Hello Mr. O'Connor,

I have been assigned the inquiry into this matter. I read your e-mail and reviewed the video of the meeting that you sent. Please call me when you have an opportunity. My direct line is (305) 350-0636. Thank you.

**Sylvia Batista, Investigator**  
**Miami Dade County Commission on Ethics and Public Trust**  
**19 West Flagler Street**  
**Suite 820**  
**Miami, FL 33130**  
**(305) 579-2594**  
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**ADMINISTRATIVE REVIEW**  
**REQUEST FOR PROPOSAL 2012-04**  
**SOLID WASTE COLLECTION SERVICES AND RECYCLING**

VENDOR NAME	WSI	WastePro	WM	Choice Environmental
	Waste Services of Florida, Inc.	Waste Pro of Florida, Inc.	Waste Management Inc of Florida	Choice Environmental Services of Broward, Inc.
Sunbiz*	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
BBB**	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
EPLS***	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
City required forms	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5% Bid Bond	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Business tax receipt	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

\*FL Department of State Division of Corporations

\*\*Better Business Bureau

\*\*\*Excluded Parties List System

	WSI	WastePro	WM	Choice Environmental
BID BOND	\$1,430,350.00	\$1,344,750.00	\$1,650,000.00	\$1,450,000.00
PROPOSAL	\$28,607,000.00	\$26,895,000.00	\$33,000,000.00	\$29,000,000.00
YEARLY	\$5,721,400.00	\$5,379,000.00	\$6,600,000.00	\$5,800,000.00

**RFP No 2012-01 SOLID WASTE COLLECTION SERVICES AND RECYCLING**  
 Review Committee Meeting April 2, 2012 at 2:00pm

Proposer <sup>®</sup>	WSI					WastePro					WM					Choice				
	Reviewer #1	Reviewer #2	Reviewer #3	Reviewer #4	Reviewer #5	Reviewer #1	Reviewer #2	Reviewer #3	Reviewer #4	Reviewer #5	Reviewer #1	Reviewer #2	Reviewer #3	Reviewer #4	Reviewer #5	Reviewer #1	Reviewer #2	Reviewer #3	Reviewer #4	Reviewer #5
1 Scope of Services Proposed <i>Possible Points = 15</i>	10	5	12	10	10	12	15	15	15	13	13	10	15	13	14	11	13	12	10	12
2 Ability to prove bidder qualifications and competency <i>Possible Points = 20</i>	15	15	15	12	19	17	15	20	20	19	17	15	20	20	19	17	15	15	15	19
3 Equipment availability and capability <i>Possible Points = 15</i>	12	15	15	10	18	14	15	15	10	18	15	15	15	10	18	13	15	15	10	18
4 Financial Capability <i>Possible Points = 20</i>	15	15	20	15	20	15	15	20	15	20	15	15	20	15	20	15	15	20	15	20
5 Pricing <i>Possible Points = 30</i>	25	22	20	20	18	30	25	30	25	26	20	20	20	18	20	24	22	22	20	25

<b>TOTAL POINTS</b>	77	72	82	67	85	88	85	100	85	96	82	75	90	76	94	80	80	84	70	94
	Reviewer #1	Reviewer #2	Reviewer #3	Reviewer #4	Reviewer #5	Reviewer #1	Reviewer #2	Reviewer #3	Reviewer #4	Reviewer #5	Reviewer #1	Reviewer #2	Reviewer #3	Reviewer #4	Reviewer #5	Reviewer #1	Reviewer #2	Reviewer #3	Reviewer #4	Reviewer #5

WSI	90.8	81.6
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Reviewer No.	Name
1	Janette Smith
2	Shari Karnali
3	Mac Serda
4	Roslyn Weisblum
5	Jeff Ann

CITY OF NORTH MIAMI BEACH  
 RFP 2012-04 SANITATION RATE PROPOSALS  
 MONTHLY BASE RATE COMPARISONS

RESIDENTIAL						
Category	City NMB	Dade County	WastePro	WasteMgt	Choice	WSI
Sgl fam, duplex, triplex, quaddplex:						
1st unit	37.50		16.20	16.80	12.77	18.29
2nd, 3rd, 4th units	30.00		16.20	16.80	12.77	18.29
Alley Pickups	n/a		16.20	18.00	12.77	18.29
Multi-Family (5 or more units) per unit	22.50		12.60	12.00	13.20	18.29
Alley Pickups	n/a		12.60	18.00	13.20	18.29
Each extra container (at homeowner's request)	8.00		11.86	12.00	10.00	12.10
Recycling (with bi-weekly pickups)		2.55	2.04	3.00	2.88	2.50
Recycling (with weekly pickups)		3.08	3.04	3.78	4.32	3.75
COMMERCIAL						
Category	City NMB	Dade County	WastePro	WasteMgt	Choice	WSI
Commercial:						
Flat fee (based on 1 x week pickup)	122.9595		n/a	n/a	n/a	n/a
Base fee for 1 cuYd: 1 x week	29.3005		48.10	46.76	60.33	45.34
Using 96 gal residential container	37.50		25.00	24.00	10.00	52.57
Rolloff - 20 CUYds (based on 1 x week)	1,157.96		1,040.00	1,900.00	1,512.64	1,662.98
Rolloff/Compactors: (Base for 1 x week)						
10 CUYds	1,157.95		1,300.00	1,900.00	1,577.64	1,156.49
13 CUYds	1,333.75		1,300.00	2,200.00	1,862.38	1,308.44
14 CUYds	1,392.35		1,300.00	2,400.00	1,957.32	1,359.09
15 CUYds	1,450.95		1,516.67	2,500.00	2,052.27	1,409.74
21 CUYds	1,802.55		1,733.33	2,900.00	2,621.84	1,713.63
22 CUYds	1,861.15		1,950.00	3,000.00	2,716.74	1,764.28
25 CUYds	2,036.95		2,166.67	3,300.00	3,001.53	1,916.23
30 CUYds	2,329.95		2,383.33	3,500.00	3,476.20	2,169.47
40 CUYds	2,915.95		2,600.00	3,900.00	4,425.46	2,675.96
42 CUYds	3,033.15		2,816.67	4,000.00	4,615.30	2,777.26
Compactor:						
Flat fee (based on 1 x week pickup)	122.9595		n/a	n/a	n/a	n/a
Base fee for 1 cuYd: 1 x week	58.6010		74.13	79.29	180.98	72.81
Recycling (with weekly pickups)		n/a	50.00	51.96	8.00	113.70

n/a - not applicable

CITY OF NORTH MIAMI BEACH  
ANNUAL SANITATION COST PROPOSALS

Category	City NMB	WastePro	WasteMgt	Choice	WSI
Commercial	2,444,350	2,188,739	2,183,464	2,745,070	2,063,119
Compactor	150,808	129,875	145,576	317,094	111,736
Rolloff/Compactor	272,397	275,600	418,800	401,901	255,981
Rolloff	17,412	18,720	34,200	27,228	29,934
Comm (w/96 gal resid)	36,450	24,300	23,328	9,720	51,098
Recycling: Commercial (weekly)	-	78,000	81,058	12,480	177,372
<b>Total Commercial</b>	<b>2,921,417</b>	<b>2,715,234</b>	<b>2,886,426</b>	<b>3,513,493</b>	<b>2,689,240</b>
Resid (1-4 units)	3,636,936	1,594,156	1,653,178	1,256,675	1,799,729
Alley Pickups	-	-	37,757	-	-
Resid (Multi-Fam>4)	1,981,356	1,109,648	1,056,816	1,162,459	1,610,689
Alley Pickups	-	-	3,988	-	-
Recycling: Residential (bi-weekly)	-	205,020	301,500	289,440	251,250
<b>Total Residential</b>	<b>5,618,292</b>	<b>2,908,824</b>	<b>3,053,239</b>	<b>2,708,574</b>	<b>3,661,668</b>

	Variance	Variance	Variance	Variance	Variance
Commercial	(255,611)	(260,886)	(5,232)	300,720	(381,231)
Compactor	(20,933)	(5,232)	129,504	168,269	(39,072)
Rolloff/Compactor	3,203	143,403	5,736	5,816	(16,416)
Rolloff	1,308	(13,122)	(13,122)	(26,730)	12,822
Comm (w/96 gal resid)	(12,150)	81,058	81,058	12,480	14,848
Recycling: Commercial (weekly)	78,000	(34,991)	(34,991)	592,076	177,372
<b>Total Commercial</b>	<b>(206,183)</b>	<b>(260,886)</b>	<b>(5,232)</b>	<b>300,720</b>	<b>(232,177)</b>
Resid (1-4 units)	(2,042,780)	(1,983,758)	37,757	(2,380,261)	(1,837,207)
Alley Pickups	-	-	-	-	-
Resid (Multi-Fam>4)	(871,708)	(924,540)	3,988	(818,897)	(370,667)
Alley Pickups	-	-	-	-	-
Recycling: Residential (bi-weekly)	205,020	301,500	301,500	289,440	251,250
<b>Total Residential</b>	<b>(2,709,468)</b>	<b>(2,565,053)</b>	<b>301,500</b>	<b>(2,909,718)</b>	<b>(1,956,624)</b>

Summary for Powerpoint

Customers	City NMB	WastePro	WasteMgt	Choice	WSI
Commercial	\$ 2,921,417	\$ 2,715,234	\$ 2,886,426	\$ 3,513,493	\$ 2,689,240
Residential	\$ 5,618,292	\$ 2,908,824	\$ 3,053,239	\$ 2,708,574	\$ 3,661,668
	\$ 8,539,709	\$ 5,624,058	\$ 5,939,665	\$ 6,222,067	\$ 6,350,908
Difference		\$ (2,915,651)	\$ (2,600,044)	\$ (2,317,642)	\$ (2,188,801)
% Chg		-34.1%	-30.4%	-27.1%	-25.6%

## Kessler's Model Assessment

Does the Kessler (KCI) Model work?

	City (KCI Model)	Outsourced	Difference (KCI - Outsourced)
Revenues	\$8,694,250	\$8,694,250	
Expenses	\$4,673,490 *	\$3,962,036 *	
Net Profit (Loss)	\$4,020,760	\$4,732,214	(\$711,454)

**Kessler's Recommendation reduces services, displaces employees with no options for employment and still cost \$711,454 more than outsourcing**

## In Brief

### Kessler Report Conclusion

- NMB cannot compete with outsourced provider
  - Kessler's Recommendation reduces services, displaces employees with no options for employment and still cost \$711,454 more than outsourcing

### Internal Analysis Conclusion:

- Confirmed and Audited Financial Data
  - Outsourcing would save \$10M over 5 Years

Lean = Mean

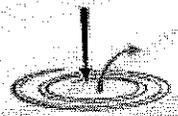
# KCI Model vs. Private Sector

To compete with Private sector, KCI recommends:

- Seven fewer front-line employees
- Ten fewer front-line vehicles
- Rear-loaders for bulk trash collection
- Fleet mechanics no longer assigned to Division
- Revenue Assurance
- Best Practices

Getting Mean =  
Lean this is  
Proposed Res.  
Collection  
Model

	Waste Pro Example	City (KCI Model)
Revenues	\$8,694,250	\$8,694,250
Annual Service Charge/Operating Expenses	\$3,962,036	\$4,673,490
Internal Fund Transfers & Non- Operating Expenses	\$4,732,214	\$4,020,760



kessler consulting inc.  
innovative waste solutions

Assumptions

Best home approval

Cannot compete in price alone.

Delivered 1- July 2013.