

235 Catalonia Avenue
Coral Gables, Florida 33134
Phone: (305) 444-4648
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**Barreto • Cunningham • May
Dudley • Maloy**

Fax

To: Mr. Robert Myers - Miami Dade County **From:** Brian May
Comm. on Ethics & Public Trust

Fax: (305) 579-2656 **Pages:** 5

Phone: **Date:** 2/1/01

Re: **CC:**

Urgent For Review Please Comment Please Reply Please Recycle

Thank you.

BARRETO • CUNNINGHAM • MAY
DUDLEY • MALOY, LLC

February 1, 2001

Mr. Eston "Dusty" Melton
Global Projects, Inc.
3430 Poinciana Avenue
Coconut Grove, Florida 33133

Re: Your letters concerning janitorial services for zone 1 at Miami
International Airport (MIA)

Dear Mr. Melton:

Your recent letters concerning the selection of a janitorial services provider for zone 1 at MIA are so inaccurate that I am compelled to set the record straight with regard to your distortions and the allegations you have leveled against me. Your description of events surrounding this matter and your personal attacks are nothing more than a sad diversionary tactic designed to manipulate the County Manager, County Commission and others into believing that the selection of UNICCO Services Corporation for zone 1 was somehow the wrong choice. Nothing could be further from the truth.

"Airport" Janitorial Experience – "the red herring"

By making "airport" janitorial experience a "red herring" issue with the County Manager and County Commission, you attempted to subvert the professional judgement of the selection committee. Your lobbying of the County Manager and County Commission prior to the vote of the County Commission on December 19, 2000, and your subsequent letters, focused around your assertion that your client, Laro Service Systems, Inc., had more "airport" janitorial experience than UNICCO.

You made this assertion knowing that for good reason "airport" janitorial experience was never included as part of the selection criteria under the RFQ. As the County Manager indicated in his memorandum of January 11, 2001, this was a thoughtful and deliberate action taken by the County, as a result of a pre-solicitation vendor workshop and a recommendation from the Department of Business Development. It was recognized early on by the County that including "airport" janitorial experience as a criterion would have narrowed competition and hurt the ability of minority firms to participate in the RFQ process. Despite the assertion in your letter of January 3, 2001 to the contrary, this was a "pivotal" fact that rendered your "work product" chart presented on December 19, 2000 irrelevant.

CORPORATE & PUBLIC AFFAIRS

235 Catalonia Avenue • Coral Gables • Florida 33134-6704 • 305-444-4648 • fax 305-444-1128 • www.bcmpartners.com
Miami • Tallahassee

Mr. Eston "Dusty" Melton
February 1, 2001
Page 2

More importantly, your assertion that "airport" janitorial experience should have been a specific criterion for selection makes little sense. You somehow believe that cleaning toilets, floors, carpets and emptying trash bins in an airport is unique to performing such functions in any other high-traffic facility. This is simply not the case. High-traffic airports have peak times and slow times, as does any other high-traffic facility. **Your assertion seems to make sense on the surface, but when the onion gets peeled back it is clearly nothing more than "red herring" nonsense.**

In addition, your "red herring" spin was a clever, but failed, attempt to distract the County Manager and County Commission from the relevant and important differences in experience between UNICCO and your client, Laro. UNICCO does over \$600 million dollars in business annually, while Laro does approximately \$40 million annually. This makes UNICCO approximately 15 times the size of Laro, and hence, gives them considerably more experience than Laro. UNICCO cleans over 400 million square feet of space daily. UNICCO has vast experience with large high-traffic facilities in South Florida and the United States, including the University of Miami, Nova Southeastern University, the Pittsburgh Airport and 57 Simon malls across the country. **These facts were presented on December 19, 2000, and were "pivotal" in rebutting your assertion that "airport" janitorial experience should have tipped the selection in favor of your client, Laro.**

The County Manager and County Commission deserve credit for resisting your "red herring", and embracing the result of a close competitive selection process undertaken by their professional staff.

Conspiracy Theory

In your January 3, 2001 and January 11, 2001 letters to the County Manager, you allege that I somehow conspired with the Chairperson of the selection committee when appearing before the County Commission on December 19, 2000. Those allegations are untrue and unfounded. You have no evidence to make such an allegation, and you have done so only to cast aspersions upon the selection process and to malign my character. I am hereby putting you on notice to stop these false allegations immediately.

False Allegations

In Webster's Dictionary the definition of lie as a verb is the following: *to make an untrue statement with intent to deceive*. The definition of lie as a noun is the following: *an*

Mr. Eston "Dusty" Melton
February 1, 2001
Page 3

assertion of something *known or believed by the speaker* to be untrue *with intent to deceive*.

On December 19, 2000, I made a misstatement on the record before the County Commission in describing your "work product" chart as inaccurate, and for that I apologize. However, I did not make that statement with intent to deceive, and I did not make a statement that I knew or believed to be untrue at the time. In fact, in your January 3, 2001 letter to the County Manager you even stated, "I don't believe Mr. May knowingly lied..." I suggest you check the dictionary for yourself. Your characterization of my statement as a lie cannot be accurate, if, as you state in your letter on January 3, 2001, you believe I did not knowingly make an untrue statement. That being said, with your being a former reporter who has considerable command of the English language, I find it difficult to believe that you do not know the definition of the word lie. I suppose you could have made a mistake. After all, sometimes people do make mistakes.

More importantly, if you believed that I did not knowingly make an untrue statement on January 3, 2001, then why did your statements change in your letters to me dated January 17, 2001 and January 25, 2001? In those letters you stated that I was a "liar(s)", and that I "lied". There is no confusion in these statements. I believe the reason your statements changed between January 3, 2001 and January 17, 2001 is because during that time you decided that you were going to step up your efforts to discredit me and defame me. I believe clear evidence of this is that since January 17, 2001, you have literally been walking around the Government Center and MIA giving out copies of your January 17, 2001 and January 25, 2001 letters to anyone who will take them.

I am hereby putting you on notice to stop these defamatory actions immediately.

Final Thoughts

The County Manager stated it best on January 10, 2001, "The entire issue is a "red herring" – a construct of Mr. Melton and his advocacy of his client's cause." This is sad, but true.

I am extremely disappointed and disturbed at how unprofessionally you have handled this matter. Up until this time I had held you in high regard. At least now I can rest knowing that your distortions have been corrected, your outlandish allegations have been rebutted, and your assertion about "airport" janitorial experience has been revealed for the "red herring" it truly is.

DEPARTMENT OF PROCUREMENT MANAGEMENT

FACSIMILE TRANSMITTAL SHEET

TO:	Those Listed Below	FROM:	Theodore G. Lucas, Director
COMPANY:		DATE:	1/10/01
FAX NUMBER:		TOTAL NO. OF PAGES INCLUDING COVER:	15
PHONE NUMBER:		SENDER'S REFERENCE NUMBER:	
RE:	Response to Dusty Melton's letter of 1/3/01 Re: Airport Janitorial Services		
		YOUR REFERENCE NUMBER:	

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Please find the County Manager's response to Mr. Melton's letter of January 3, 2001.

Distribution:

Eston E. Melton, III, Chairman, Global Projects, Inc.
 Robert Meyers, Director, Miami-Dade Commission on Ethics and Public Trust
 Christopher Mazzella, Inspector General, Miami-Dade County
 Miami-Dade County Selection Committee: RFQ-MDAD-00045A
 Dickie Davis, Chairperson, Aviation Department
 Harold Goldson, Business Development
 Nelson S. Oramas, Aviation Department
 Mary Tracey, Consultant, Airport and Aviation Professionals
 Katherine Rundle Fernandez, State Attorney
 Brian May, Barreto-Cunningham-May
 Jorge Luis Lopez, Esq., for Laro Service Systems, Inc.
 Robert Bertuglia, Laro Service Systems, Inc.

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 MIAMI, FLORIDA 33128
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Global Projects, Inc.

3430 POINCIANA AVENUE
COCONUT GROVE, FL 33133 USA
305/442-8842 Fax: 442-8297

RECEIVED
01 JAN -3 AM 9:22
COUNTY MANAGER'S
OFFICE

January 3, 2001

BY HAND

Merrett R. Stierheim
County Manager, Miami-Dade County
Stephen P. Clark Center, 29th Floor
111 NW First Street
Miami, FL 33128

"The chart that's in front of you with regard to the square footage is very misleading. It says that UNICCO only manages 700,000 square feet of airport space [at Pittsburgh International Airport], which is just blatantly incorrect . . . We manage 3 million square feet of space there."

-- UNICCO's bald-faced lie at the December 19 Board of County Commissioners' meeting, which you swallowed whole without gagging, thanks to the complicity of your staff

Dear Mr. Stierheim:

With all due respect, how does it feel to be totally bamboozled, especially regarding something as important as the cleanliness of Miami International Airport? Because that's exactly what happened to you at the County Commission meeting two weeks ago when choosing a janitorial contractor for Zone 1 at MIA.

One telephone call to Pittsburgh should prove illuminating for you. Probably embarrassing, potentially infuriating. The contact name and telephone number follow. I encourage you to make it.

At the outset of the Commission's televised public hearing, you graciously tagged me as the author of a two-page handout circulated prior to that December 19 meeting on behalf of Laro

MIAMI TORONTO LONDON PARIS ROME MOSCOW TOKYO SYDNEY

NO. 8918 P. 1

JAN. 9. 2001 12:12PM

Merrett R. Stierheim
January 3, 2001
Page Two

Service Systems Inc., UNICCO's chief competitor. As you well know, the lynchpin of my lobbying practice, now in its 19th successful year, is the accuracy and honesty of the information I provide elected and appointed officials. I take any challenge to my work product very seriously. Being human, I occasionally make mistakes, and I am properly concerned when confronted. I treat these occasional challenges seriously and personally.

I am writing you this letter in hope that the record, so adroitly and brazenly fabricated by UNICCO's representative speaking to the County Commission on December 19 -- with your airport staff in conspiracy -- is corrected. I am insulted by what transpired. Perhaps you will be, too.

As you no doubt recall from the December 19 meeting, the preponderance of the Commission's discussion on this issue, and the overreaching concern voiced by several commissioners, was the airport experience of competing providers and the future quality of janitorial service from the chosen vendor. To that end, Laro produced the above-referenced chart based on my analysis that Laro's 5.4-million square feet of existing janitorial responsibility in a half-dozen airport terminals (including global-award-winning Orlando International Airport) is nearly 9 times that of UNICCO's comparable square footage. UNICCO handles roughly one-fourth of only one, medium-tier airport. (If airport garages were included, the experience factor is nearly 38:1 in Laro's favor. This is math. This is not subjective. This is not a lie.)

When UNICCO's representative boldly asserted at the December 19 hearing that his client is responsible for Pittsburgh International Airport's entire 3 million square feet, UNICCO's "experience" and airport "quality" appeared compelling enough. Laro's opportunity for an honest hearing evaporated at that very moment. The fight was over, a TKO.

Attachment "A" is UNICCO's own Pittsburgh fact sheet from its just-considered MIA technical proposal. Note well that it employs 200 people today providing janitorial services in two buildings. Do you see the "(700,000)" next to "3,000,000" in answer to "Square Footage"? Any guess why UNICCO included the 700,000 figure in its own paperwork in the first place?

Merrett R. Stierheim
January 3, 2001
Page Three

Attachment "B" should answer that question: It's UNICCO's predecessor Pittsburgh fact sheet from a proposal it submitted to Orlando International several years ago. Notice how many employees: 200! Notice how many square feet: 700,000! Double *deja vu!* Tom Long, identified as the Pittsburgh contact in UNICCO's recent MIA proposal, was on vacation last week. So I spoke instead with Ben Geiger, the listed contact in UNICCO's Orlando proposal; incidentally, his new number is 412/472-3550. Mr. Geiger told me that air carriers and other airport tenants clean their own space at Pittsburgh; UNICCO, he said, cleans common areas and the airport authority's offices -- and that, he further said, totals about 700,000 square feet.

Ask him yourself; he's a friendly guy, with nothing to hide, and returns calls promptly.

Remember: UNICCO told you and the Commission at the televised public hearing on December 19 that Laro's chart was "blatantly incorrect" and that UNICCO cleaned Pittsburgh's entire airport.

Attachment "C" is a copy of the chart, drawn to scale, that I showed you the day before the Commission's meeting. This drawing was the model for the Laro chart "repudiated" by UNICCO at that December 19 hearing. So compelling is the total contrast between Laro and UNICCO, the chart was the only exhibit Laro believed it needed to illustrate the merits of its multi-faceted case.

Attachment "D" is a fresh copy of the Laro handout I wrote, which you referenced in your opening remarks at the Commission hearing. It covers in some considerable detail the vast differences in experience and qualifications between Laro and UNICCO; the original handout included a number of factual attachments. You said you did not read it prior to the Commission meeting. Fair enough; I encourage you to do so now.

I met with you privately the day before the Commission's meeting out of respect, so that you could understand and analyze what appeared to me to be compelling strengths and qualifications of Laro, talents that were attainable for our community at Miami International Airport -- as well as what appeared to me to be troubling deficiencies in the UNICCO proposal. I painstakingly emphasized that I had no quarrel with either your personnel or the process up until that point -- only with the final result.

Merrett R. Stierheim
January 3, 2001
Page Four

It's regrettable that you were so easily bamboozled on December 19. It's amazing that not one, single person on your staff took the time to check out my constructive assertions, made to you in your office a full day before, by telephoning Pittsburgh to learn the truth. I'm genuinely sorry that, as a consequence, you became a party to this egregious misrepresentation that so substantially influenced the Commission's decision.

The Audiotape

I had intended to close my letter with the paragraph above, but paused instead to review the audiotape of your selection committee's meeting. I suggest you grab a copy yourself. Here's what I heard and learned:

Like other proposers on this extremely important contract, UNICCO was afforded a mere 10-minute presentation before your five-member selection committee. In the question-and-answer segment that immediately followed, the absolute first inquiry went to the core issue of UNICCO's airport experience. Mary Tracey, an aviation consultant who was a member of the selection committee, highlighted an obvious contradiction: A display during UNICCO's presentation claimed 3 million square feet of experience in Pittsburgh, while UNICCO's submitted technical proposal (Attachment "A") showed 700,000 in parentheses after 3,000,000 on the Pittsburgh page. She asked for clarification.

In a pointedly non-numeric answer, a UNICCO official gave a description of the various types of spaces UNICCO cleans at Pittsburgh International Airport. He then said:

"We don't do any airline spaces, besides the international.

To which Mary Tracey said:

"So, when you talk about the 3 million, you're talking about the total airport. But actually of that area, you only maintain a certain portion."

Immediately, the UNICCO official agreed:

"Yes, we do."

Merrett R. Stierheim
 January 3, 2001
 Page Five

That portion is 700,000 square feet -- roughly one-fourth the Pittsburgh airport. Could it be any clearer that UNICCO is not responsible for the entire 3 million square feet of Pittsburgh International Airport, as was claimed December 19? I think not. UNICCO's own, written proposal: "(700,000)." Ben Geiger last week on the telephone from Pittsburgh International Airport. Mary Tracey's question, and UNICCO's answer, at the selection committee meeting. If you haven't flipped back to the first page and re-read that opening quote recently, please do so now. It will put what follows in perfect context.

The Videotape

Having learned that the "confusion" about UNICCO's Pittsburgh square-footage experience was clarified with absolute precision at UNICCO's selection-committee presentation well ahead of the Commission hearing, I also reviewed a videotape of that December 19 Commission meeting -- because I could not fathom how UNICCO's bald-faced assertion of doing the entire Pittsburgh airport could have gone unchallenged by your staff at such a critical, decision-making moment.

I suggest you grab a copy of that videotape also, because this is what I saw, heard and learned:

You will recall that three of the five selection-committee members ranked Laro in first place, after a careful review of all technical proposals and after the conclusion of all "dog-and-pony show" presentations. A fourth member tied Laro and UNICCO. But the chair, Dickie K. Davis, scored UNICCO ahead by 8 points -- thus producing an overall, 3-point victory margin for UNICCO, 422 to Laro's 419.

In response to one Commissioner's direct question about the two firms' relative experience at airports, which question specifically quoted the above-referenced chart showing Laro at 5.4 million square feet in six airports and UNICCO at 700,000 square feet in only one airport, Ms. Davis (at 16:06:19 on the December 19 videotape) said:

"Also, as to the square footage, those [Laro chart] numbers are inaccurate as well. I think, perhaps, Mr. May wanted to elaborate on that."

Merrett R. Stierheim
January 3, 2001
Page Six

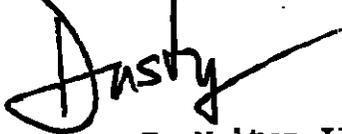
Mr. Brian May's subsequent "elaboration" is quoted at the top of this letter. It's all the same lie. I don't believe Mr. May knowingly lied; I believe he trusted his client, merely reciting what he had been told by his client. But Ms. Davis chaired the selection committee and she personally and directly heard UNICCO concede, in clarifying its deliberately misleading display, that it cleans only a portion of Pittsburgh's airport. She was not merely complicit on December 19 in failing to correct Mr. May's erroneous assertion -- she laid the foundation for it. Her comment was a lie to you. It was a lie to the Commission. It was a lie to the audience, including my client and me, at the Commission meeting. It was a lie to hundreds of thousands of residents monitoring their county government by television.

You personally vouched for Ms. Davis' honesty and integrity during the Commission meeting on December 19. (I did not hear you vouch for her degree of candor with you, however.)

We have had several conversations recently about your substantial contribution via public service to local government and to the Greater Miami community at large. As you ponder your pending legacy at Miami-Dade County, one of the most urgent, final accomplishments, it seems to me, would be to alter the procurement methods so that future county managers can avoid being so easily bamboozled.

I trust that you will revisit this issue in detail at the very earliest possible moment. Please review all of the facts, as well as the competing assertions and lies. Once you have aggregated accurate and complete information on this contract matter, perhaps honesty and integrity might carry the day. Now that the truth is finally out.

Sincerely,



Eston E. Melton III
Chairman

cc: Alex Penelas, Miami-Dade County Mayor
All 13 Members, Miami-Dade Board of County Commissioners

Merrett R. Stiarheim
January 3, 2001
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Robert A. Ginsburg, Miami-Dade County Attorney
Kay Sullivan, Clerk of the Board of County Commissioners
Miami-Dade County Selection Committee, RFQ No. MDAD 00045A
Dickie K. Davis, Chair
Harold Goldson
Nelson S. Oramas
Caesar Phillips
Mary Tracey
Robert Myers, Miami-Dade County Commission on Ethics
and Public Trust
Christopher R. Mazzella, Miami-Dade County Inspector General
Katherine Fernandez Rundle, Miami-Dade County State Attorney
Ben Geiger, Pittsburgh International Airport
Brian May, Barreto.Cunningham.May
Jorge Luis Lopez, Esq., for Laro Service Systems Inc.
Jeffrey M. Flanagan, Esq., for Laro Service Systems Inc.
Robert Bertuglia, Laro Service Systems Inc.

Attachments

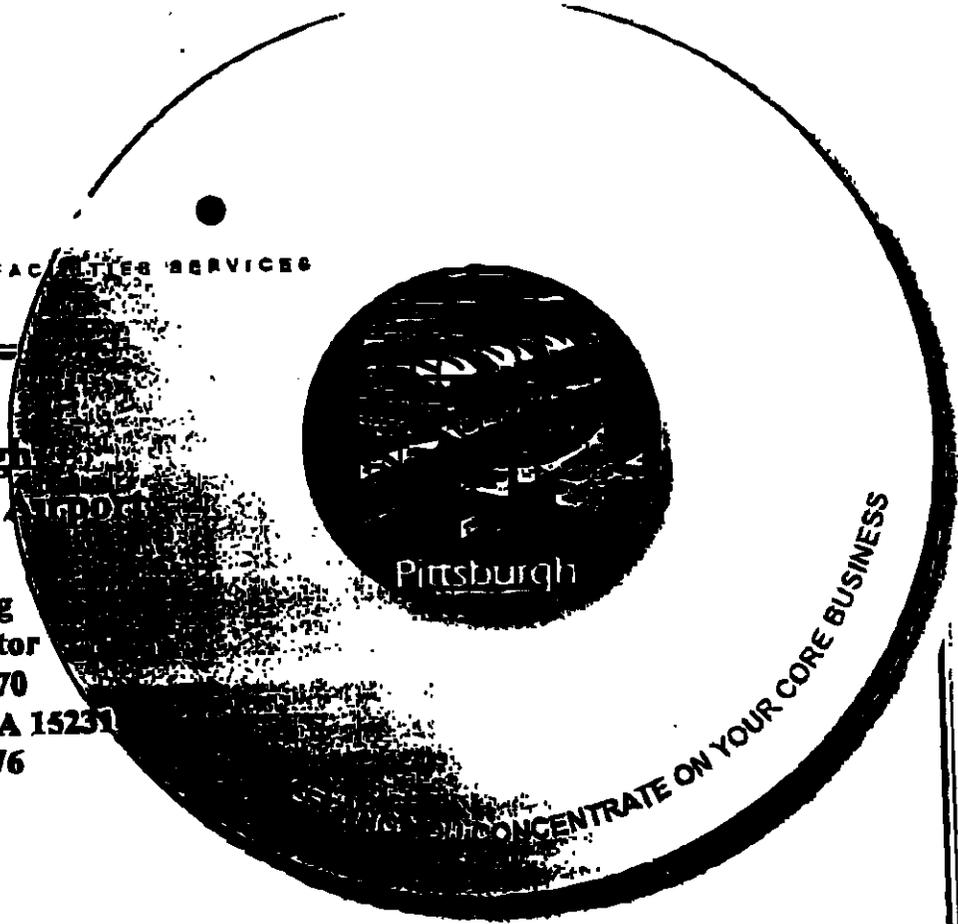
gpl.001.d

"A"

INTEGRATED FACILITIES SERVICES

The Pittsburgh International Airport

Mr. Tom Long
Deputy Director
P.O. Box 12370
Pittsburgh, PA 15231
(412) 472-3676



FACILITY INFORMATION

- Public Airport Built in 1992
- Top Five National Airport Rating
- Serves 21 million Passengers Annually

CONTRACT HIGHLIGHTS

- Length of Service: 1996 to Present
- Square Footage: 3,000,000 (700,000)
- Number of Buildings: 2
- UNICCO Employees: 200
- Contract Value: \$4,800,000

SCOPE OF WORK

- Prime Contractor Providing:**
- Full Service Janitorial
 - Porter/Matron Services
 - Project & Utility Services
 - Managed Services:
 - MBE Subcontract Program

- Terminal Areas Serviced:
- County & Administrative Offices,
- Center Core including Mall Area,
- Ticketing, Transit Levels, Baggage Claim,
- Concourses to Gate Areas

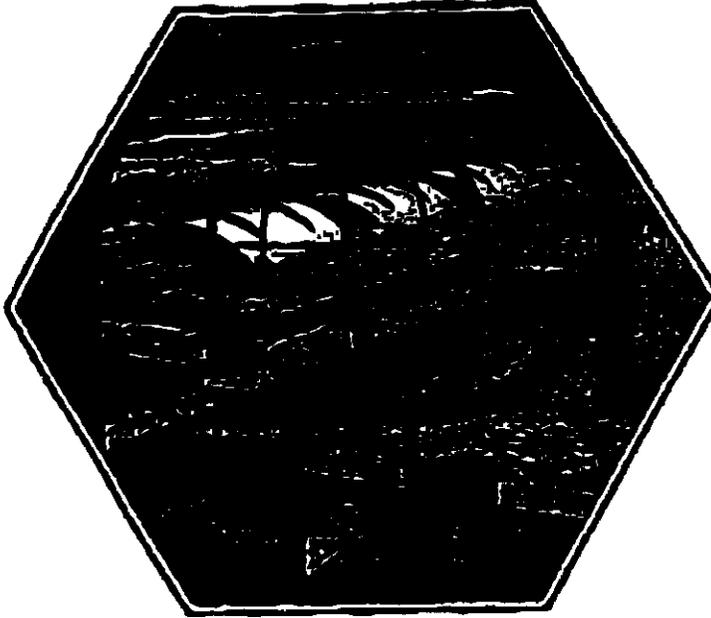
UNICCO

Proposal for Janitorial Services for the Miami-Dade County Aviation Department, Zone 1 - RFQ#MDAD00045 - September 8, 2000

"B"

UNICCO

INTEGRATED FACILITIES SERVICES



PO Box 12370
PITTSBURGH, PA 15231-0370

CONTACT: **BEN GEIGER**
ASSISTANT DIRECTOR OF TERMINAL MAINTENANCE
(412) 472-3676

BUILT IN 1992
SERVES 20.5 MILLION PASSENGERS ANNUALLY

CUSTOMER SINCE 1996
SQUARE FEET: 700,000
UNICCO PERSONNEL: 200

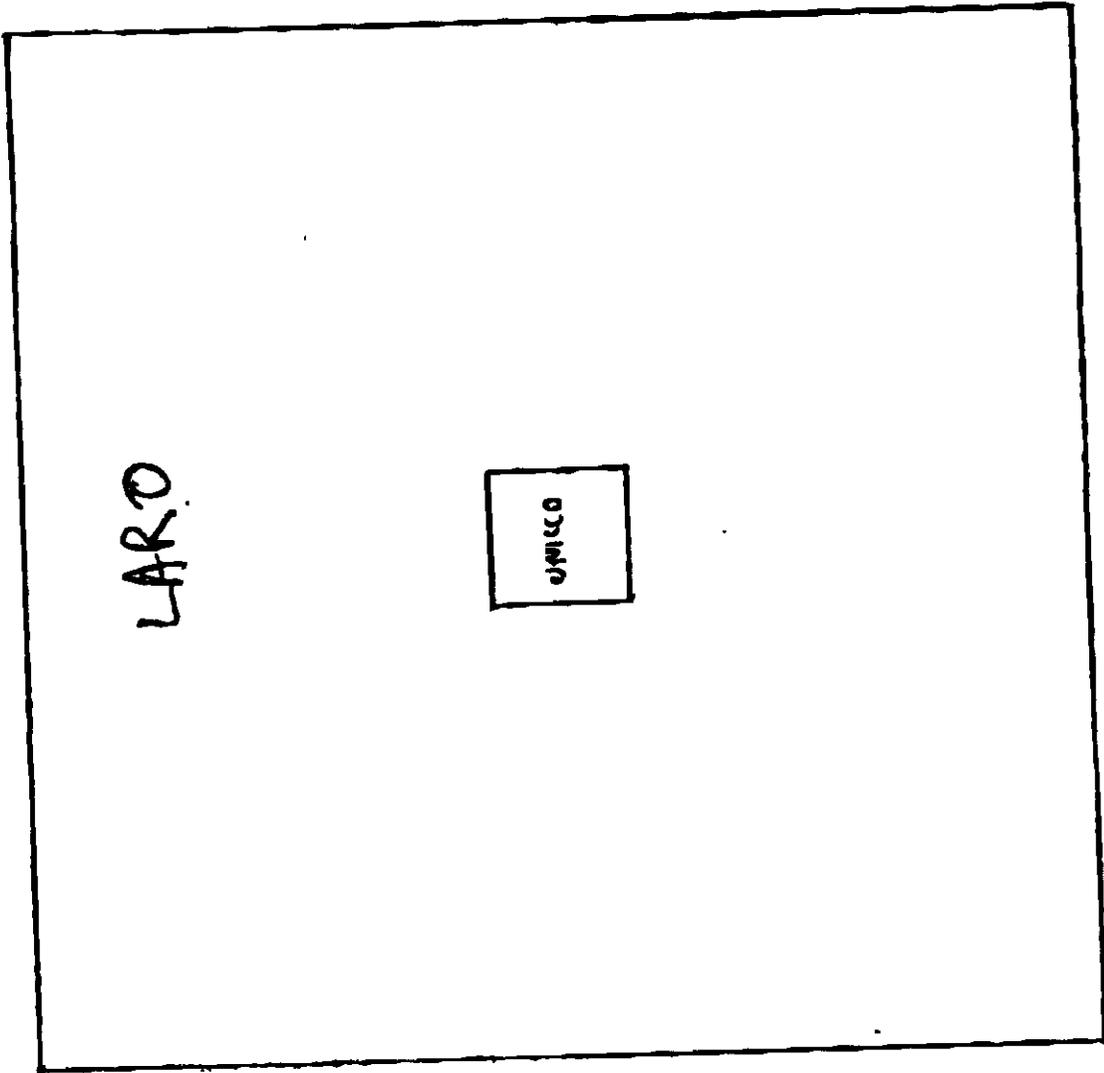
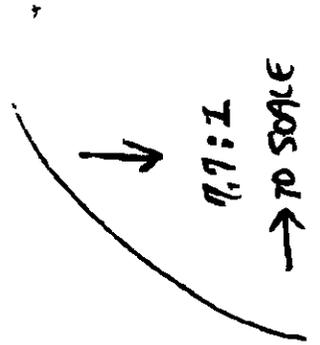
SERVICES PROVIDED:

COMPLETE TERMINAL JANITORIAL MAINTENANCE

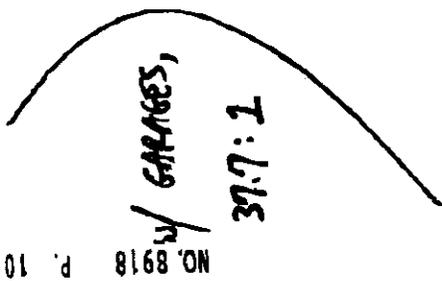
TERMINAL AREAS SERVICED: COUNTY & ADMINISTRATIVE OFFICES, CENTER CORE INCLUDING MALL AREA, TICKETING, TRANSIT LEVELS, BAGGAGE CLAIM & CONCOURSES TO GATE AREAS

PORTER/MATRONS SERVICES
PROJECT & UTILITY SERVICES

"C"



AIRPORT [^] SQUARE FOOTAGE
TERMINAL



"D"

Laro vs. UNICCO

Agenda Item 6A1G
December 19, 2000

GENUINE AIRPORT EXPERIENCE: Laro knows airports. UNICCO does not. Laro cleans Orlando International Airport, JFK's International Arrivals Terminal, and four other airports nationwide. UNICCO cleans less than one-fourth of Pittsburgh Airport. Laro's 748 airport employees clean up behind 50 million total airport passengers a year in 5.4 million total square feet of airport space. (Laro also cleans 16 million square feet of garage space at Orlando International, 4 million square feet at JFK, 1 million square feet at Manchester, and 2 million square feet at the NY&NJ Port Authority Bus Terminal which alone handles 65 million passengers a year.) UNICCO's 200 janitors clean only 700,000 of the 3 million square feet at Pittsburgh.

Airport experience was NOT required in this RFP for MIA. Why?

LARO'S ORLANDO INTERNATIONAL WINS TOP HONORS - AGAIN: Last year Orlando was named the number-one airport in North America and number-two in the world behind Singapore for overall passenger satisfaction among large airports by an International Air Transport Association (IATA) survey. This was the third consecutive year Orlando took top North American honors, accomplished in the midst of a major expansion. The sixth IATA survey polled more than 77,000 passengers from 65 global airports. The survey concluded that service elements related to the "human touch" have a very strong influence on overall airport experience. One of the many survey elements where Orlando earned highest marks was cleanliness of washrooms. Also, just last month, J.D. Power and Associates ranked Orlando International highest in overall passenger satisfaction among large airports. This is an independent validation of IATA.

LARO'S MIA MANAGER IS A LARGE-AIRPORT (ORLANDO!) VETERAN: The person who would supervise Laro's operations at MIA currently serves in that capacity at award-winning Orlando International. That airport -- 37 million passengers a year, 3 million square feet of responsibility -- is cleaned by a team of more than 400 Laro employees. UNICCO's designated manager currently supervises Miami Country Day School: 945 daytime students; 200,000 square feet of space; 16 employees. Do the math = apples and oranges.

"Manager Experience" counted for 125 of 450 scoring points. UNICCO scored higher in manager experience than Laro. How?

EVEN WITH "MANAGER" STRANGENESS, LARO AND UNICCO ARE TIED: The selection committee initially ranked all proposers after reading their written, technical submittals. Laro scored 416 points, UNICCO 384 -- a clear gap, Laro ahead. Ten-minute presentations were then made by each proposer to the selection committee. Overall UNICCO soared 38 points, a 10% boost, to a 422 total. Overall Laro picked up only 3 points, for a 419 total. (Among the five scoring categories, UNICCO picked up 8 of its extra 38 points in "Manager Experience." Laro gained zero points in that category!) Three selection committee members ranked Laro first; one member scored the two firms even, and only one member ranked UNICCO first.

422 vs. 419 equates to 100 vs. 99.29 -- a 0.71 difference

LARO'S PROPOSAL IS \$95,275/YR CHEAPER THAN UNICCO: The written first-year price originally proposed by UNICCO was \$19,119,178. During negotiations with the county's administration, the price was adjusted downward to \$18,815,920. Laro's price originally proposed was \$19,192,925. If the same, mathematically proportional price adjustments were applied to Laro's proposal, Laro's "negotiated" price would be \$18,720,645. In chart form, the numbers are:

	Original Proposal	Post-negotiation
UNICCO	\$19,119,178	\$18,815,920
Laro	\$19,192,925	<u>\$18,720,645</u>
		\$ 95,275 savings per year

CONCLUSION AND SUMMARY

Airports are a round-the-clock, extremely complicated work environment. Keeping that kind of environment clean requires constant vigilance and seasoned supervisors and employees, which Laro will place into action at MIA. In real-world airport janitorial experience, UNICCO does not come close to Laro.

Laro and UNICCO were statistically tied in qualitative scores. Adjusted for UNICCO negotiations, Laro is far cheaper in price.

The County Commission has the legal latitude to award to any of the competing providers. Laro has the vastly superior airport experience, wins global awards for its airport service, and would be substantially less expensive.

MEMORANDUM

TO: Honorable Alex Penelas, Mayor
Honorable Chairperson and Members
Board of County Commissioners

DATE: January 10, 2001

FROM: Merrett R. Stierheim
County Manager 

SUBJECT: Response to Dusty Melton's
letter dated January 3, 2001
concerning award of Zone I
contract for Airport Janitorial
Services

In a letter to me dated January 3, 2001, Mr. Dusty Melton, for Laro Service Systems, Inc., alleged that Ms. Dickie Davis, an outstanding career professional of Miami-Dade County, deliberately lied, and that other professional staff were accomplices in my being "totally bamboozled" during the BCC's December 19, 2000 discussion of the recommended award of the Aviation Department's Zone I contract for airport janitorial services. Mr. Melton distributed copies of the letter to the highest authorities in this County, and to the press.

Allegations like the ones contained in that letter are what destroy public trust in County government. The unfounded assault on the County's procurement process, and our professional staff, compels my written response.

The entire issue is a "red herring" - a construct of Mr. Melton and his advocacy of his client's cause. "Airport" janitorial experience was not required under the clear terms of this RFQ, and was not a component of the evaluation criteria on which source selection was based.

The minimum qualifications for Zone 1 were "five years of janitorial experience cleaning one or more 24-hour facilities, 7 days a week" and "square footage cleaned must total at least 2.5 million serviced by not less than 150 Full-time Equivalents in one or more facilities working multiple shifts." The solicitation's written evaluation criteria, establishing the permissible considerations for source selection, contained no reference to "airport" janitorial experience.

Omission of an "airport" experience requirement was a studied and deliberate act on the part of the County. Indeed, Aviation's first draft of this RFQ for Zone I included "experience cleaning a 24-hour facility with a minimum daily pedestrian traffic of at least 150,000 to 200,000" as a minimum qualification. That volume of daily foot traffic could only be met by large "airport" experience. The original requirement was removed as a result of a pre-solicitation vendor workshop, and the request of the Department of Business Development to allow local and minority janitorial firms the opportunity to compete and be eligible for award. Had that provision not been removed, few companies would have qualified. The decision to delete the requirement injected the opportunity for broader competition. Indeed, Vista, a local company with no significant airport experience, did propose on Zone 1 and was considered for award.

Page Two

During the December 19 BCC discussion, Ms. Davis misunderstood the meaning of the chart presented by Laro lobbyist, Mr. George Lopez. She thought it purported to compare the total amount of Laro's janitorial experience with that of UNICCO, not that of their respective "airport" experience only. A logical assumption under the heat of examination by the Commissioners on December 19 when the only pertinent experience to be considered under the RFQ was total janitorial experience. She thought the chart dramatically underrepresented the very extensive experience in this field possessed by UNICCO. This was no deliberate lie, no attempt to mislead anyone. The accusation is highly offensive, especially considering that "airport" experience was not required, evaluated or material to the source selection process.

Mr. Melton also impugns County staff generally for failing to correct the UNICCO lobbyist's statement that his client "manages" all of the 3 million square feet at Pittsburgh airport. Why? Mr. Melton knew the difference. At Attachment "D" of his January 3 letter, in the last sentence of the first paragraph of his December 19 pre-BCC meeting memo to me, Mr. Melton stated: "UNICCO's 200 janitors clean only 700,000 square feet at Pittsburgh." We can safely assume that Mr. Lopez knew, too. They were both working for Laro. Mr. Lopez had the floor before the BCC on December 19, and he should have spoken to the point if he wanted to. As for County staff, it was not relevant; the only material consideration in this process was a firm's total janitorial experience, and both Laro and UNICCO possessed far in excess of the minimum requirement, with or without specific "airport" experience.

This is a disappointed lobbyist in a close competition between two highly qualified and reputable firms. County staff did their job honestly and effectively under difficult circumstances within a short time period mandated by the BCC. It is a slippery slope for anyone to begin to substitute their evaluation and judgment for that of the appointed Selection Committee, absent a showing of misconduct or bad faith, none of which were present in this procurement of airport janitorial services. To the contrary, this Selection Committee should be commended, and the greatest thanks should go to Ms. Davis, the committee member who took the clearest stand with sound reasons and the knowledge she would be called to articulate and defend her judgment just as she did before the BCC on December 19. It is a difficult and often thankless task, and the role and participation of selection committee members must be respected.

c: **Eston E. Melton, III, Chairman, Global Projects, Inc.**
Robert A. Ginsburg, County Attorney, Miami-Dade County
Kay Sullivan, Director, Clerk of the Board
Robert Meyers, Director, Miami-Dade County Commission on Ethics and Public Trust
Christopher Mazzella, Inspector General, Miami-Dade County
Miami-Dade County Selection: RFQ-MDAD-00045A
Dickie Davis, Chairperson, Aviation Department
Harold Goldson, Business Development
Nelson S. Oramas, Aviation Department
Caesar Phillips, Office of Management and Budget
Mary Tracey, Consultant, Airport and Aviation Professionals
Katherine Fernandez Rundle, State Attorney, State Attorney's Office
Brian May, Barreto-Cunningham-May
Jorge Luis Lopez, Esq., for Laro Service Systems, Inc.
Jeffrey M. Flanagan, Esq., for Laro Service Systems, Inc.
Robert Bertuglia, Laro Service Systems, Inc.



ETHICS COMMISSIONERS

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Charles A. Hall, Vice Chairperson
Elizabeth M. Iglesias
Knovack G. Jones
Robert H. Newman

ROBERT A. MEYERS
EXECUTIVE DIRECTOR

CHRISTOPHER R. MAZZELLA
INSPECTOR GENERAL

ARDYTH WALKER
STAFF GENERAL COUNSEL

FAX COPY
SENT -
3/6/00

March 6, 2000

Dusty Melton
Global Projects, Inc.
3430 Coconut Grove, FL 33133

Dear Mr. Melton:

I received your fax dated March 3, 2000 and I wanted to respond promptly. According to 2-11.1(s)(6) of the Dade County Conflict of Interest and Code of Ethics Ordinance, by July 1, a registered lobbyist is required to submit a signed statement under oath listing all lobbying expenditures for the preceding calendar year. The statement must be filed even if there were no expenditures during the reporting period. Finally, this reporting requirement went into effect on July 1, 1986.

If you have any questions concerning the above, please contact me at your convenience.

Sincerely,

Robert Meyers
Executive Director

Please make an inquiry
file.

Thanks,
Robert

Global Projects, Inc.

3430 POINCIANA AVENUE
COCONUT GROVE, FL 33133 USA
305/442-8842 Fax: 442-8297

INQ 00-03

March 3, 2000

VIA FACSIMILE -- this page only

TO: Robert Myers

FROM: Dusty Melton 

SUBJECT: Request for opinion

It would be personally helpful to me, to assure that I have properly complied with the annual expenditure reporting requirements and understand who is obligated to file said reports each July 1, if you could answer the following question:

Each July 1, what is the universe of lobbyists required to report expenditures, pursuant to the County Code, from the prior calendar year?

I believe the universe of obligated lobbyists is everyone who has registered since the 1991 revision to the Conflict of Interest section of the code (who has not filed a withdrawal form) through the last lobbyist registrant each June 30, the day prior to the annual reporting deadline.

It is important to my personal review of my filings to know whether your interpretation of the code agrees with mine -- or whether you reach a differing conclusion. Your prompt response to this inquiry would be greatly appreciated.

MIAMI TORONTO LONDON PARIS ROME MOSCOW TOKYO SYDNEY

Courthouse Center Building
175 N.W. 1st Avenue
Suite 1101
Miami, Florida 33128
Telephone: (305) 579-2594
Facsimile: (305) 579-2656

**Miami-Dade County
Commission on Ethics &
Office of the Inspector
General**

Fax

To: Dusty Melton From: Robert Meyers, Executive Director
Fax: (305) 442-8297 Pages: 2, including coversheet
Phone: B Date:
Re: CC:

Urgent For Review Please Comment Please Reply Please Recycle

Per your request.

Robert Meyers

The information contained in this facsimile message is **CONFIDENTIAL** information intended only for the use of the individual or entity named above. If the reader of this message is not the recipient you are hereby notified that any dissemination, distribution or copy of this communication is strictly **PROHIBITED** and will be considered as a tortious interference in our confidential business relationships. Additionally, unauthorized dissemination of this confidential information subjects you to criminal and civil penalties. If you have received this communication in error, please immediately notify us by telephone and return the original to us at the above address via the U.S. Postal Service.



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Executive Director