

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Friday, August 10, 2018 1:35 PM
To: Sanchez, Rodzandra (COE)
Subject: INQ 18-194 , Patty Palomo, Chief, Intergovernmental Affairs, WASD (Organizational Conflicts- Request for Approval - Conflict of Interest Stantec)
Attachments: 20171009_LtrLSola Stantec 14SCDI001-PSIP.PDF; 1070KL.PDF; FW: Project No. E13-WASD-03 and Project No. E13-WASD-02R - Stantec Potential for Conflict of Interest ; RE: Project No. E13-WASD-03 and Project No. E13-WASD-02R - Stantec Potential for Conflict of Interest

Importance: High

INQ 18-194 Palomo

From: Murawski, Michael P. (COE)
Sent: Tuesday, July 24, 2018 3:40 PM
To: Palomo, Patty D. (WASD) <Patty.Palomo@miamidade.gov>
Subject: FW: Request for Approval - Conflict of Interest Stantec

Hi Patty:

Joe Centorino is out of town for the next two weeks, I am acting Director in his absence. I have reviewed the documentation you supplied and, in my opinion, WASD seems to adequately address the conflict issue. Is there anything more formal you need or is this e-mail sufficient?

From: Palomo, Patty D. (WASD)
Sent: Monday, July 23, 2018 3:45 PM
To: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>; Murawski, Michael P. (COE) <Michael.Murawski@miamidade.gov>
Cc: Aranguiz, Marisela (WASD) <Marisela.Aranguiz@miamidade.gov>; Penaloza, S. Alissa (WASD) <Alissa.Penaloza@miamidade.gov>
Subject: Request for Approval - Conflict of Interest Stantec

Good Afternoon Mr. Murawski,

Attached for your review and approval are the following documents:

- Stantec Letter stating the Potential Organizational Conflict of Interest;
- WASD's response to Stantec on how to address the Potential Organizational Conflict of Interest;
- Email sent to Ethics commissioning notifying them of the Potential Organizational Conflict of Interest dated 10/27/2017; and
- Email sent to Stantec (cc COE and OIG) with WASD response to the Potential Organizational Conflict of Interest dated 6/4/2018.

Please contact me if you have any questions or comments.

Patty Palomo, Chief
Intergovernmental Affairs
Miami-Dade Water and Sewer Department

786-552-8040 Office

786-602-0196 Cell

www.miamidade.gov/water

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Sanchez, Rodzandra (COE)

From: Aranguiz, Marisela (WASD)
Sent: Monday, June 04, 2018 3:18 PM
To: Mallol, Carlos; Lynskey, Kevin T. (WASD)
Cc: Palomo, Patty D. (WASD); Roque, Rolando M. (WASD); Anand, Hardeep (WASD); Castella, Ramon; Maria Molina; Penaloza, S. Alissa (WASD); Murawski, Michael P. (COE); Cagle, Mary (OIG); Pollock, Stephen J. (OIG); Liu, Patra (OIG); Davis, Sarah (CAO); Bender, Lonnika (WASD)
Subject: RE: Project No. E13-WASD-03 and Project No. E13-WASD-02R - Stantec Potential for Conflict of Interest
Attachments: 1070KL.PDF

Carlos,

Attached find WASD's response to the Potential Organizational Conflict of Interest regarding the Stantec MWH Acquisition.

Regards,
Marisela

Marisela J. Aranguiz, P.E. ENV SP
Assistant Director, Capital Programs Management
Miami-Dade Water and Sewer Department
E. marisela.aranguiz@miamidade.gov
O. 786-552-8894 M. 786-719-6963
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From: Glenny, Yurfa [<mailto:yurfa.glenny@stantec.com>]
Sent: Tuesday, October 10, 2017 10:33 AM
To: Sola, Lester (WASD) <Lester.Sola@miamidade.gov>
Cc: Palomo, Patty D. (WASD) <Patty.Palomo@miamidade.gov>; Roque, Rolando M. (WASD) <Rolando.Roque@miamidade.gov>; Anand, Hardeep (WASD) <hardeep.anand@miamidade.gov>; Fuentes, Maricela (WASD) <Maricela.Fuentes@miamidade.gov>; Mallol, Carlos <carlos.mallol@stantec.com>; Castella, Ramon <Ramon.Castella@stantec.com>; Cubides, Carolina <carolina.cubides@stantec.com>; Maria Molina <mmolina@nova-consulting.com>
Subject: Project No. E13-WASD-03 and Project No. E13-WASD-02R - Stantec Potential for Conflict of Interest

Mr. Sola,

Please find the attached letter addressing the concerns for potential conflict of interest for the subject projects where Stantec (including MWH legacy projects) is participating. I would like to thank you and your staff for the time and consideration given to this issue. Our team looks forward to continue to provide professional engineering services for the successful delivery of WASD projects.

Best Regards,

Yurfa Glenny, PMP
Managing Leader / SE Project Manager Commercial Lead
MWH, now part of Stantec
2600 Douglas Road, Suite 600

Miami, FL 33134
Phone: +1 (786) 313-5505
Cell: +1 (305) 496-2082
yurfa.glenny@stantec.com



MWH is now part of the Stantec Family.

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 Please consider the environment before printing this email.

Sanchez, Rodzandra (COE)

From: Aranguiz, Marisela (WASD)
Sent: Friday, October 27, 2017 9:47 AM
To: Murawski, Michael P. (COE)
Cc: Sola, Lester (WASD); Anand, Hardeep (WASD); Davis, Sarah (CAO)
Subject: FW: Project No. E13-WASD-03 and Project No. E13-WASD-02R - Stantec Potential for Conflict of Interest
Attachments: 20171009_LtrLSola Stantec 14SCDI001-PSIP.pdf

Mike,

Attached find letter from Stantec alerting WASD of a potential conflict. WASD is currently evaluating mitigation alternatives and once a decision is set forth a formal letter will be forward to the Commission on Ethics. Please acknowledge receipt.

Marisela

Marisela J. Aranguiz, P.E. ENV SP, Assistant Director
Capital Programs Management
Miami-Dade Water and Sewer Department
O. 786-552-8894 M. 786-719-6963
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From: Glenn, Yurfa [mailto:yurfa.glenny@stantec.com]
Sent: Tuesday, October 10, 2017 10:33 AM
To: Sola, Lester (WASD) <Lester.Sola@miamidade.gov>
Cc: Palomo, Patty D. (WASD) <Patty.Palomo@miamidade.gov>; Roque, Rolando M. (WASD) <Rolando.Roque@miamidade.gov>; Anand, Hardeep (WASD) <hardeep.anand@miamidade.gov>; Fuentes, Maricela (WASD) <Maricela.Fuentes@miamidade.gov>; Mallol, Carlos <carlos.mallol@stantec.com>; Castella, Ramon <Ramon.Castella@stantec.com>; Cubides, Carolina <carolina.cubides@stantec.com>; Maria Molina <mmolina@nova-consulting.com>
Subject: Project No. E13-WASD-03 and Project No. E13-WASD-02R - Stantec Potential for Conflict of Interest

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Best Regards,

Yurfa Glenn, PMP

Managing Leader / SE Project Manager Commercial Lead
MWH, now part of Stantec
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 Please consider the environment before printing this email.



October 9, 2017

Mr. Lester Sola

Director

Miami-Dade Water and Sewer Department

3071 SW 38th Avenue

Miami, FL 33146

**Reference: Miami Dade Water and Sewer Department Pump Station Improvement Program
Project No. E13-WASD-03 and Project No. E13-WASD-02R
Potential Conflict of Interest**

Dear Mr. Sola,

Stantec Consulting Services, Inc., (Stantec) is providing professional engineering and construction oversight services as part of the PSIP team primed by Nova Consulting Inc. As soon as the acquisition of MWH by Stantec was made public, MWH took steps to assure that no MWH employee would be in supervisory role of work by Stantec. To this effect, the MWH legacy team assigned to PSIP were strictly directed to avoid performing conflicting activities when assigned to construction projects designed by Stantec under Agreement 14SCSI001. Conflict of interest affidavits were signed by the program team as additional steps to avoid perceived conflict of interest. It should be noted that the MWH legacy staff does not provide direct management of scope or fees to the Stantec design team.

Per recent communication with Ms. Maricela Fuentes, Assistant Director of Capital Improvements, Stantec was requested to reevaluate this arrangement, addressing any potential for Conflict of Interest between the PSIP and Agreement 14SCSI001. Stantec has reevaluated the potential conflict of interest between the following agreements:

- Stantec Agreement No. 14SCSI001, Project No. E13-WASD-03, for Design Services for the Implementation of a Pump Station Improvement Program. Under this project, Stantec provided design and engineering services during construction for assigned pump stations.
- MWH, now part of Stantec, Subconsultant Agreement for Professional Services dated February 14, 2014 with Nova Consulting, Inc., providing services under Prime Agreement No. 13NCI001, Project No. E13-WASD-02R, for Program and Construction Management Services for the Improvement and Implementation of a Pump Station Improvement Program (PSIP). MWH now part of Stantec provides staff augmentation for project management, engineering, and construction oversight services.

While we have not had any conflicts to date, in abundance of caution, and with the purpose of avoiding any perception of potential conflict of interest, Stantec has determined that in best interest for all parties (Miami Dade County, WASD, Nova Consulting Inc. and Stantec) for our firm to not accept new task orders for professional services under Agreement No. 14SCSI001. Stantec will continue to provide services under the PSIP program under the subcontract agreement with Nova Consulting Inc. Current projects under 14SCSI001 are related to Engineering Services during Construction, which do not pose conflict of interest with the current team managing contractors. These projects will get closed out as construction is completed.



Mr. Lester Sola
Page 2 of 2

Stantec looks forward to continue to provide professional services to WASD for the successful delivery of this important project. Please do not hesitate to contact us should further clarifications are required.

Regards,

Stantec Consulting Services Inc.

Yurfa Glenny, PMP
Senior Principal, Managing Leader
Phone: +1 (786) 313-5505
yurfa.glenny@stantec.com

Cc: Hardeep Anand, WASD
Maricela Fuentes, WASD
Patty Palomo, WASD
Rolando Roque, WASD
Ramon Castella, Stantec
Carlos Mallol, Stantec
Carolina Cubides, Stantec
Maria Molina, Nova Consulting Inc.



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May 31, 2018

Mr. Carlos Mallol
Stantec Consulting Services Inc.
2 Biscayne Blvd., Suite 1670
Miami, FL 33131

RE: Potential Conflict of Interest — Response

Dear Mr. Mallol:

The Miami-Dade County Water and Sewer Department (WASD) received your letter dated October 9, 2017 in which you advised WASD of the merger between MWH and Stantec Consulting Services, Inc. (Stantec) and the measures your team had taken to avoid any potential organizational conflicts of interest.

Pursuant to Agreement No. 13NCI001, Nova Consulting, Inc. (Nova) provides program management and construction management services to WASD under the Pump Station Improvement Program (PSIP). MWH is a program management and construction management sub-consultant for Nova under Agreement No. 13NCI001. Stantec is one of five companies providing design services related to the PSIP pursuant to Agreement No. 14SCSI001. With the merger of MWH and Stantec, an organizational conflict of interest could arise if MWH were to oversee the work Stantec will be doing on Agreement No. 14SCSI001.

Section 6 of Agreement No. 13NCI001 lays out the County's policies for addressing organizational conflicts of interest. See Agreement No. 13NCI001 at p. 14. Specifically, Section 6(A)(5) states:

"... The COUNTY will analyze and address organizational conflicts of interest on a case by case basis, because such conflicts arise in various, and often unique, factual settings. The Director, with the assistance of such other persons as he may deem appropriate, shall make the final decision as to how to address an organizational conflict of interest. The COUNTY shall consider the specific facts and circumstances of the contracting situation and the nature and potential extent of the risks associated with an organizational conflict of interest when determining what method or methods of addressing the conflict will be appropriate. When an organizational conflict of interest is such that it risks impairing the integrity of the Program, then the COUNTY must take action to substantially reduce or eliminate those risks. If the only risk created by an organizational conflict of interest is a performance risk-relating to the COUNTY'S business interests, then the COUNTY shall have broader discretion in accepting some or all of the performance risk, but only when the potential harm to the COUNTY'S interest is outweighed by the expected benefit from having the conflicted Consultant perform the contract."

Consequently, the County has considered the various options available to avoid a potential conflict of interest and has decided on the following measures.

Agreement No. 13NCI001

At the time of contract selection and assignment for "Program and Construction Management Services for the Implementation of a Pump Station Improvement Program" in December 2013, WASD selected Nova Consulting, Inc. MWH, now Stantec, is one of the sub-consultants working for Nova, and WASD has determined that MWH, now Stantec, can continue to provide services in this capacity.

Agreement No. 14SCSI001

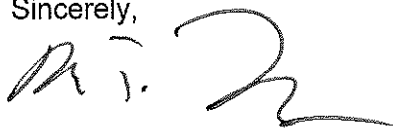
With regard to Agreement No.14SCSI001, "Design Services for the Implementation of a Pump Station Improvement Program", WASD will not issue any new design work to Stantec that would be managed by Nova Consulting, Inc. as part of the PSIP; rather, WASD will assign design work to Stantec only if WASD will directly be managing and supervising Stantec's work. For any assignments that were issued prior to the merger, Stantec will continue the design projects as assigned until final construction. Those projects include:

Project Name	Project Phase
Pump Station 124	Construction
Pump Station 494	Construction
Pump Station 506	Construction
Pump Station 698	Construction
Pump Station 870	Construction
Pump Station 1056	Construction
Pump Station 1058	Construction

Additionally, for these on-going projects, WASD has requested that Nova Consulting, Inc. assign non-Stantec PSIP personnel to oversee and manage Stantec's work in order to ensure that no perceived or actual organizational conflicts of interest occur.

Should you have any questions regarding our determinations, you can contact Marisela J. Aranguiz, Assistant Director, Capital Program Management at 786-552-8894 or Marisela.Aranguiz@miamidade.gov.

Sincerely,



Kevin T. Lynskey, Director
Miami-Dade County Water & Sewer Department

cc: Hardeep Anand, WASD
Alissa Peñaloza, WASD
Sarah E. Davis, Esq., Assistant County Attorney