

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Wednesday, March 14, 2018 9:18 AM
To: Sanchez, Rodzandra (COE)
Cc: Campos, Evelyn (Aviation)
Subject: FW: RQO 18-66 Evelyn Campos, Division Director, Professional Compliance Division, Miami-Dade County Aviation Department (MDAD) (Organizational Conflict Re: ISD Project A16-MDAD-No2)
Attachments: TOP-A16-MDAD-No2-Addendum_No_8-EXHIBIT A.pdf; AECOM- Organizational Conflict of Interest Plan-EXHIBIT B.pdf; MDAD PSA with US Cost-without attachments-EXHIBIT C.pdf; AECOM-A16-MDAD-02-E-1 Table of Organization-EXHIBIT D.pdf; NTPC_A16-MDAD-02_FINAL_2016-06-30-EXHIBIT E.pdf

INQ 18-66 Campos
(numbering corrected to reflect this is an INQ and not an RQO)

From: Centorino, Joseph (COE)
Sent: Tuesday, March 13, 2018 3:24 PM
To: Campos, Evelyn (Aviation) <ECampos@miami-airport.com>
Cc: Valin, Pablo (ISD) <Pablo.Valin@miamidade.gov>; Clerk of the Board (COC) <Clerk.Board@miamidade.gov>; Murray, David M. (Aviation) <dmmurray@miami-airport.com>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Kirtley, Eddie (CAO) <Eddie.Kirtley@miamidade.gov>; Sanchez, Gerald (CAO) <Gerald.Sanchez@miamidade.gov>
Subject: RQO 18-66 Evelyn Campos, Division Director, Professional Compliance Division, Miami-Dade County Aviation Department (MDAD) (Organizational Conflict Re: ISD Project A16-MDAD-No2)

Dear Ms. Campos:

Miami-Dade County Aviation Department has submitted its plan to address organizational conflicts in ISD Project No. A-16-MDAD-02, which involves the proposer for the Terminal Optimization Program-Project Support Services (TOP)--AECOM Technical Services, Inc.-- which is the recommended prime for this project. I agree with MDAD that organizational conflicts were presented in that two sub-consultants for AECOM—U.S. Cost Incorporated (d/b/a RIB U.S. Cost (USC) and Program Controls, Inc. (PCI)-- are both currently engaged as prime and sub-consultant, respectively, with MDAD for professional cost estimating and scheduling services on another MDAD contract; and another sub-consultant for AECOM—MCO Construction and Services, Inc. (MCO) is currently engaged as a sub-consultant to MCM on another contract with MDAD. AECOM's Table of Organization for the TOP project indicates that all three of the referenced sub-consultants—USC, PCI and MCO—would be significant participants under Project Controls for the TOP program.

In compliance with the standards adopted by the Ethics Commission for organizational conflicts in RQO 17-02, MDAD, upon determination of the organizational conflicts, has created a plan for eliminating or mitigating these conflicts, and has submitted them to the Executive Director of the Ethics Commission for approval. The plan proposed by MDAD is to require that none of the three proposed sub-consultants for AECOM, identified as creating organizational conflicts, may provide services to AECOM until after their respective contracts or sub-contracts they have currently involving MDAD have concluded. This plan means essentially that AECOM may not utilize them as sub-consultants for the TOP contract with MDAD as long as they have duties and responsibilities to MDAD under other existing service agreements.

After reviewing your correspondence, as well as other documents submitted in connection with this request, it is my opinion that the plan submitted by MDAD effectively eliminates the identified organizational conflicts. It appropriately addresses the possible conflicting loyalties that these sub-consultants could face in the event that they were

simultaneously under contract with AECOM in the TOP program at the same time that they would have separate duties to perform for MDAD under other agreements under which they would be involved in Project Controls for the TOP program.

I appreciate the thoughtfulness and effort put in by the MDAD management team in arriving at a suitable plan to deal with these issues.

Sincerely,

Joe Centorino

Joseph M. Centorino

Executive Director and General Counsel
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From: Campos, Evelyn (Aviation) [<mailto:ECampos@miami-airport.com>]

Sent: Wednesday, March 07, 2018 4:30 PM

To: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>

Cc: Valin, Pablo (ISD) <Pablo.Valin@miamidade.gov>; Clerk of the Board (COC) <Clerk.Board@miamidade.gov>; Murray, David M. (Aviation) <dmmurray@miami-airport.com>

Subject: FW: Request for COE Approval-Conflict of Interest Plan-ISD Project A16-MDAD-No2

Be aware, the following request is regarding a proposal (Terminal Optimization Program-Project Support Services-ISD Project No. A16-MDAD-02) that is under the Cone of Silence.

Mr. Centorino,

In accordance with the above referenced project, *NTPC Section 1.16 Addendum No. 8*, issued on September 13, 2016, the Miami-Dade Aviation Director (MDAD) shall make the decision of how to address an organizational conflict of interest, subject to the approval of the Executive Director of the Commission on Ethics.

Background

Proposer, AECOM Technical Services, Inc. (AECOM) submitted to MDAD its *Organizational Conflict of Interest Plan* to MDAD through the ISD A/E Selection Coordinator. Based on our review, we disagree with AECOM that no organizational conflict of interest exists. The conflict of interest exists as the sub-

consultants for AECOM, U.S. Cost Incorporated d/b/a RIB U.S. Cost (USC) and Program Controls, Inc. (PCI) are both currently engaged in a *Non-Exclusive Professional Services Agreement*, as prime and sub-consultant, respectively, with MDAD for professional cost estimating and scheduling services. Additionally, another sub-consultant for AECOM, MCO Construction and Services, Inc. (MCO) is currently engaged as a sub-consultant to MCM on the MCC-8-10 contract for MDAD. In reviewing AECOM's *Table of Organization* for this project, USC, PCI and MCO are significant participants under Project Controls for this program.

MDAD's Plan

MDAD will require that neither USC, PCI nor MCO provide services to AECOM until after the Non-Exclusive Professional Services Agreement for cost estimating and scheduling services and the MCC-8-10 contract with MCM have concluded. MDAD will request AECOM submit for approval its mitigation plan, as detailed in its Organizational Conflict of Interest Plan, with those stipulations. MDAD agrees to work effectively with AECOM to mitigate any future organizational conflicts of interest before they occur.

MDAD is requesting your approval of our plan to address the organizational conflict of interest under this proposal. Thank you.

Attachments:

NTPC Section 1.16 and Addendum No. 8 – Exhibit A

AECOM Organizational Conflict of Interest Plan – Exhibit B

MDAD Non-Exclusive Professional Services Agreement with USC – Exhibit C

AECOM's Table of Organization – Exhibit D

Terminal Optimization Program-Project Support Svc-ISD Project No. A16-MDAD-02 - Exhibit E

Evelyn Campos
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