



VILLAGE OF BISCAYNE PARK
Village Commission Agenda Report

#Item 7.b

REGULAR AGENDA

TO: Honorable Mayor & Members of the
Biscayne Park Village Commission

FROM: Sharon P. Ragoonan, Village Manager

DATE: February 8, 2017

TITLE: Update on Code Professional Services

Recommendation

The purpose of this memorandum is to provide the Mayor and Village Commission with an update on the Code Professional Services and outcomes.

Background

Vendor:
City of Sunny Isles Beach

A). Circumstances that resulted in the commitments:

Before taking leave for medical reasons, the former Code Compliance Officer, informed the Village Manager that he was a finalist for a position at another City. Therefore, in anticipation of the resignation, the Village Manager, contacted CAP Government (CAP), the Village's provider of structural, mechanical, and electrical plan reviewers and inspectors to provide a temporary Code Compliance Officer.

On October 5, 2016, the Village Manager met with a CAP representative and a potential Code Compliance Officer. While the individual had a Code background and FACE (Florida Association of Code Enforcement) certification, it was determined that the prospective temporary employee was not a suitable fit for the assignment.

On October 13, 2016, the Village Manager contacted Calvin Giordanno and Associates, Inc. (CGA) for a quote to provide a code officer on an interim basis. The quote offered was \$6,000 for 80-hours of work for a FACE (Florida Association of Code Enforcement) Certified Code Compliance Officer as well as vehicle, fuel, and insurance. Based on market research, it was determined that the price was excessive. Therefore, the Village Manager continued to work with CAP Government to find a suitable candidate.

On October 25, 2016, the Village Code Compliance Officer tendered his resignation via email, while still on leave, to be effective on November 5, 2016. This created a need for

further temporary Code Compliance Officer coverage to ensure the continuation of critical code enforcement efforts in the community during the hiring process. Therefore a new procurement action was initiated to obtain these services on a temporary basis.

On November 7, 2016 a meeting was held with a CGA representative to discuss the details of a potential contract and to seek a reduction in the price that was originally quoted (\$6,000 per 80-hours of work) along with obtaining a quote to furnish a full-service package in order to outsource the Code Compliance Division. Thereafter, the company did not respond to any phone calls or email messages from the Village Manager. As part of the competitive procurement process, the Village Manager contacted CAP and was informed that an employee that was previously contracted to support the Village was assigned to another job and they could not provide the required personnel. Therefore, CAP was deemed non-responsive. Thus, the Village Manager contacted the City of Sunny Isles Beach to inquire about their ability to provide the required support until a full-time Code Compliance Officer could be hired.

On November 21, 2016, an agreement was reached with the City of Sunny Isles Beach to provide an experienced Code Compliance Officer at \$26.00 per hour with the total amount of the contract not to exceed \$2,500.00 and the performance period ending of February 1, 2017. This was done to provide adequate time for the hiring of a replacement Village Code Compliance Officer. Along with the competitive quotes from CGA and CAP, market research (www.payscale.com) showed that the price was within the national range for Code Enforcement Officers.

On January 17, 2017 the new Village Code Enforcement Officer began working. The services of the temporary Code Compliance Officer was retained to provide 2 weeks of training to the new hire.

B). Adherence to normal procurement procedures

The Village's purchasing ordinance provides for purchases less than \$2,500 without submittal to the Village Commission or competitive bidding. The initial agreement was reviewed by the Village Attorney for legal sufficiency, and executed in accordance with the procurement limitations. Absent the proper controls in place to alert the Village Manager in advance of reaching the purchasing limit, services continued until the first invoice was received in the second week of January 2017 for the work completed in December 2016. With an additional two weeks of work having already been completed in January 2017, this was the initial indication to the Village Manager that the original \$2,500 would be exceeded. Furthermore, since code enforcement is a critical service, it was necessary and in the best interest of the Village to retain the services for the remainder of the performance period to ensure that adequate training was provided to the new hire.

While the total amount of \$5,083.00 owed to the City of Sunny Isles Beach is within the authority of the Village Manager under the procurement rules, including obtaining quotes from at least 3 vendors, for transparency purposes, the Village manager

determined that it was in the best interest of the Village to bring the matter before the Village Commission since the cost of the original agreement was exceeded by \$3,328.

C). Recommendations regarding corrective action that will preclude this situation from recurring:

Establish an alert system/process in the finance department for all labor hour contracts including weekly documentation and review of the number of hours worked in relation to the contract.

Finance Manager to generate a report on a monthly basis on agreements, purchase and purchase orders.

D). Resource Impact

In the 2016/2017 current budget, the commission approved \$23,500 in the professional fees account (001-529-5310000.000): \$10,000 for supplemental code office services, and \$13,500 for landlord permit inspections. There is a remainder of \$13,500 to cover the \$3,328. Furthermore, the new code compliance officer will conduct the landlord permit inspections as we will not be outsourcing this function resulting in a savings of \$11,817.

G/L Number	Description	Adopted Budget	YTD Expense	Projected Expense	Balance
001-529-5310000.000	Professional Fees	\$23,500	\$8,355	\$3,328	\$11,817

Attachment

Exhibit 1 – City of Sunny Isles Beach Agreement

Prepared by: Sharon P. Ragoonan, Village Manager



SENT VIA E-MAIL TO:

E-mail Address: villagemanager@biscayneparkfl.gov

City Commission

George "Bud" Scholl
Mayor

Jeanette Gatto
Vice Mayor

Isaac Aelion
Commissioner

Dana Goldman
Commissioner

Jennifer Levin
Commissioner

Christopher J. Russo
City Manager

Hans Ottinot
City Attorney

Jane A. Hines
City Clerk, MMC

November 21, 2016

Sharon Ragoonan
Village Manager
Village of Biscayne Park
640 NE 114th Street
Biscayne Park, FL 33161

Re: Code Enforcement Services and Training Agreement with the City of Sunny Isles Beach

Dear Ms. Ragoonan:

This letter is intended to memorialize an agreement between the City of Sunny Isles Beach (the "City") and the Village of Biscayne Park (the "Village") for Temporary Code Enforcement services. Under the agreement, the City will provide training to newly hired Code Enforcement Officers for the Village and assist in the enforcement of the Village codes and ordinances which govern construction, land use, environmental protection, housing and building maintenance, vacant building standards, vegetation overgrowth, and noise from construction and equipment. These services include providing one code enforcement officer, and technical support, if needed.

Regarding the Village's responsibilities, the Village will provide the designated Code Enforcement Officer with a vehicle and administrative support to carry out the duties under this agreement. In addition, the Village hereby agrees to hold the City, its agents, elected officials, employees and authorized personnel harmless and relieve them from any responsibility or liability for any legal action or damage, cost or expense (including attorneys fees) which may result from the Code Enforcement Officer's actions taken on behalf of the Village.

The services will start upon execution and terminates no later than February 1, 2017 unless extended in writing by both parties. As compensation for these services, the Village agrees to pay the City Twenty Six Dollars (\$26.00) an hour up to an amount not to exceed Two Thousand Five Hundred Dollars (\$2,500.00).

Please confirm that the above conditions meet with your approval. If they are acceptable, the parties will execute a formal agreement. This agreement is subject to ratification by the City Commission.

Sincerely,


Christopher J. Russo
City Manager

Agreed and Accepted:



Sharon Ragoonan, Village Manager
Village of Biscayne Park

cc: Hans Ottinot, City Attorney
Stan Morris, Deputy City Manager