

Financial Affairs
Richard H. Hinds, Chief Financial Officer

SUBJECT: REPORT OF PROFESSIONAL SERVICES CONTRACT COMMITTEE

COMMITTEE: FINANCIAL AFFAIRS

The Professional Services Contract Committee held its monthly meeting on October 30, 2002.
The results of this meeting are as follows:

Requester: Mr. Paul R. Philip
Vendor Name: Gerald A. Williams, Esq.
Dollar Amount: \$10,000
Service Provided: Represent the Board and Superintendent in proceedings involving unfair labor practice and representation hearings, rendering of legal advice to the Office of Labor Relations, The Superintendent, and Board in the area of labor relations

Time Period: April 19, 2002 through June 30, 2002.
Reason for Exemption: Specific Expertise
Vote: 5 yes 0 no
Agenda Item Number: n/a

Requester: Dr. Richard H. Hinds
Vendor Name: Digital Assurance Certification LLC
Dollar Amount: \$11,500
Service Provided: Provide disclosure information as required by Securities and Exchange Commission Rule 15c2-12

Time Period: December 2002 through December 2003
Reason for Exemption: Specific Expertise
Vote: 5 yes 0 no
Agenda Item Number: G-31

Requester: Dr. Richard H. Hinds
Vendor Name: Mr. David E. Lycan
Dollar Amount: \$8,000
Service Provided: Provide consulting services concerning legislative strategies and funding alternatives

Time Period: December 1, 2002 through June 30, 2003
Reason for Exemption: Specific Expertise
Vote: 5 yes 0 no
Agenda Item Number: n/a

Requester: Ms. Mercedes Toural
Vendor Name: Informed Families
Dollar Amount: \$100,000
Service Provided: Implement a parent involvement initiative, Community Action Team (CAT) at South Miami Middle School and Jose de Diego Middle School
Time Period: January 2, 2003 through June 30, 2003
Reason for Exemption: Specific Expertise
Vote: 5 yes 0 no
Agenda Item Number: B-3

Requester: Ms. Mercedes Toural
Vendor Name: School Board of Seminole County
Dollar Amount: \$5,500
Service Provided: Establish and maintain a process to determine statistically valid time sample results with approved staff as a function of the Medicaid administrative claiming reimbursement process
Time Period: January 1, 2003 through December 31, 2003
Reason for Exemption: Specific Expertise
Vote: 5 yes 0 no
Agenda Item Number: n/a

Requester: Dr. George M. Koonce, Jr.
Vendor Name: Birnie and Associates
Dollar Amount: \$5,000
Service Provided: Provide consulting services in the areas of Reading education and school reform for Miami Norland Senior High School
Time Period: November 12, 2002 through May 30, 2003
Reason for Exemption: Specific Expertise
Vote: 5 yes 0 no
Agenda Item Number: n/a

Requester: Dr. George M. Koonce, Jr.
Vendor Name: Dr. Catherine Solli
Dollar Amount: \$5,000
Service Provided: Provide consulting services in the areas of Reading education and school reform for Miami Norland Senior High School
Time Period: November 12, 2002 through May 30, 2003
Reason for Exemption: Specific Expertise
Vote: 5 yes 0 no
Agenda Item Number: n/a

Attached are the minutes from the Professional Services Contract Committee meeting of October 30, 2002.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, receive the report of the Professional Services Contract Committee.

RHH:jr

PROFESSIONAL SERVICES CONTRACT COMMITTEE

October 30, 2002
SBAB Room 931
8:30 a.m.

MINUTES

DRAFT

Dr. George M. Koonce, Jr. Chairperson, called the meeting to order at 8:40 a.m.
Voting members in attendance were:

Mr. Johnny Brown
Dr. Rose Barefield-Cox
Dr. Maria de Armas representing Ms. Mercedes Toural
Dr. George M. Koonce, Jr.
Dr. Richard H. Hinds

Dr. Koonce welcomed the committee and thanked the members for attending. He asked the committee to review the minutes from the October 3, 2002, meeting. Dr. de Armas requested that the spelling for Ms. Alyce Neji's name be corrected in the minutes.

Dr. Koonce informed the committee that he met with Ms. Toural regarding the Joseph Bondi contracts that were presented at the October 3, 2002, Professional Services Contract Committee meeting. Ms. Toural is working on a system of tracking the contractual services to assist principals in their selections.

Dr. Barefield-Cox had a meeting where RFPs were prepared to prequalify consultants and get quotes from each consultant. Mr. Brown asked if contracts over \$10,000 were still going to the Board for approval. Dr. Barefield-Cox said yes.

Dr. Hinds questioned whether there would be a limit to the amount of dollars certain vendors could earn per year. Dr. Barefield-Cox said the amount of dollars is unlimited per consultant. Dr. Hinds expressed his concern that there will be consultants whose contracts could add up to over \$100,000 per year. He suggested that a hold should be placed on vendors once their contracts total a certain monetary amount. Mr. Brown also expressed his concern on this issue. He stated that there should be competitive selection among vendors.

Dr. Barefield-Cox stated that when the draft of the Board rule is complete, it will be brought to this committee for review.

Dr. Koonce asked for a motion to accept the minutes from the previous meeting. Mr. Brown expressed his concern that the minutes went before the Board prior to this committee reviewing and accepting the minutes. Dr. Koonce informed the committee that the draft minutes are attached to the Board item reporting the outcomes of these meetings.

A motion was made by Dr. Barefield-Cox to accept the minutes. The motion was seconded by Dr. Hinds. A vote was taken and the motion passed unanimously to accept the minutes of the October 3, 2002, meeting with the change of correcting Alyce Neji's name.

PS-2 REQUEST FOR AUTHORIZATION TO ENTER INTO A CONTRACTUAL AGREEMENT WITH DIGITAL ASSURANCE CERTIFICATION LLC (DAC) TO PROVIDE DISCLOSURE INFORMATION AS REQUIRED BY SECURITIES AND EXCHANGE COMMISSION (SEC) RULE 15c2-12 IN AN AMOUNT NOT TO EXCEED \$11,500 FROM DECEMBER 2002 THROUGH DECEMBER 2003.

Mr. Eduardo Alfaro, Treasurer, M-DCPS, provided information on the above item. This company will provide disclosure information as required by the Securities and Exchange Commission (SEC) Rule 15c2-12. They will provide financial information on the web site for any individual to obtain. They will list and publicize all financial information. The initial payment will be \$11,500. Dr. Hinds said that the school system will be absolved from any incorrect information provided by DAC pursuant to the letter by the SEC.

Mr. Brown requested clarification on what services this company will provide. Mr. Alfaro clarified that the company, through a website, will provide all Miami-Dade County Public Schools' financial information for any underwriter to review. They will also maintain the website. If the district provides them a disk with wrong information, we are responsible for the incorrect information provided, but not for failure to disclose. If Digital Assurance Certification LLC fails to disclose the information, it is their responsibility.

There was discussion as to why this should be approved as specific expertise and not sole source. Mr. Alfaro stated that there are firms that provide these services, but not as thorough as Digital Assurance Certification LLC and they have the approval of the SEC.

Dr. Hinds refrained from voting on this item because his office staff prepared the item.

Dr. Koonce asked for a motion. Dr. Barefield-Cox made a motion to approve it based on specific expertise. Dr. de Armas seconded the motion. A vote was taken and the motion passed unanimously.

PS-1 REQUEST FOR AUTHORIZATION TO ENTER INTO A CONTRACTUAL AGREEMENT WITH GERALD A. WILLIAMS, ESQ., TO REPRESENT THE BOARD AND SUPERINTENDENT IN PROCEEDINGS INVOLVING UNFAIR LABOR PRACTICE AND REPRESENTATION HEARINGS, RENDERING OF LEGAL ADVICE TO THE OFFICE OF LABOR RELATIONS, THE SUPERINTENDENT AND BOARD IN THE AREA OF LABOR RELATIONS IN AN AMOUNT NOT TO EXCEED \$10,000 FROM JULY 1, 2002 THROUGH DECEMBER 1, 2002.

Mr. James Hayes, Administrative Director, Labor Relations, provided information regarding PS-1. Mr. Gerald A. Williams provided legal assistance to Labor Relations and worked along with the law firm of Holland and Knight. He has done more pro-bono work than he has actually billed the district.

Mr. Brown stated that since these services have already been performed, it is just retroactive payment.

Dr. Barefield-Cox stated that this is an unauthorized payment which will be processed accordingly, once the requisition is inputted. Staff will have to justify why this was not processed pursuant to Board Rule.

Dr. Hinds asked why this contract had not been presented to this committee earlier. Mr. Hayes stated that it was first taken to the Superintendent's office three-four weeks ago, and he was informed that it had to be presented to this committee. Dr. Hinds asked if legal services were to be exempt from this Board rule. Mr. Brown stated that only legal services procured from the School Board Attorney's office are exempt. Labor items do not come through the attorney's office. The attorney's office hired Holland and Knight. Dr. Hinds stated that Mr. Williams did an excellent job.

Dr. de Armas asked if there was a requisition or purchase order prepared. Mr. Hayes said no.

Mr. Brown stated that the dates on the contract are incorrect and must be corrected. The primary focus was in connection with the two-day impasse.

Dr. Hinds stated that authorization should be given to execute the contract after services have been performed due to an oversight.

Mr. Hayes informed the committee that Mr. Williams used his personal money for trips and other expenses. He assisted Holland and Knight in preparation to represent the district in Tallahassee.

Mr. George M. Burgess, Chief Financial Officer, Designate, asked if the services have been completed. Mr. Hayes said they were completed in May 2002.

Dr. de Armas asked if this contract would normally go to the Board. Dr. Barefield-Cox said no.

Dr. Hinds made a motion to execute the contract retroactively with Mr. Gerald A. Williams, Esquire, due to specific expertise in representation of the Board in this matter since the contract was not executed on a timely basis. Payment will be made for services that have been rendered. Dr. Barefield-Cox seconded the motion. A vote was taken and the motion passed unanimously.

PS-3 REQUEST FOR AUTHORIZATION TO ENTER INTO A CONTRACTUAL AGREEMENT WITH MR. DAVID E. LYCAN TO PROVIDE CONSULTING SERVICES CONCERNING LEGISLATIVE STRATEGIES AND FUNDING ALTERNATIVES IN AN AMOUNT NOT TO EXCEED \$8,000 FROM DECEMBER 1, 2002 THROUGH JUNE 30, 2003.

Dr. Hinds reviewed information on the contract with Mr. David E. Lycan. Mr. Lycan has provided this service to the district for approximately five years. Dr. Hinds is not aware of anyone else who can provide this service for this amount of money. Mr. Lycan has access to the complete database and will consult with the district regarding funding and strategies.

Dr. Koonce asked if these services have been continuous over the last five years. Dr. Hinds said yes.

Dr. Barefield-Cox made a motion to enter into an agreement with Mr. David E. Lycan for six months for \$8,000 to be paid in four partial payments of \$2,000 each based on specific expertise. Dr. de Armas seconded the motion. Dr. Barefield-Cox requested that the previous contracts be reviewed to ensure they were also approved based on specific expertise. A vote was taken and the motion passed unanimously.

PS-5 REQUEST FOR AUTHORIZATION TO ENTER INTO A CONTRACTUAL AGREEMENT WITH THE SCHOOL BOARD OF SEMINOLE COUNTY (SBSC) TO ESTABLISH AND MAINTAIN A PROCESS TO DETERMINE STATISTICALLY VALID TIME SAMPLE RESULTS WITH APPROVED STAFF AS A FUNCTION OF THE MEDICAID ADMINISTRATIVE CLAIMING REIMBURSEMENT PROCESS IN AN AMOUNT NOT TO EXCEED \$5,500 FROM JANUARY 1, 2003 THROUGH DECEMBER 31, 2003.

Ms. Phyllis Hallberg, District Director, Division of Student Services, and Mr. Ron Felton, Assistant Superintendent, Office of Exceptional Student Education and Student/Career Services, provided information on items PS-4 and PS-5.

Mr. Felton requested that the committee first review item PS-5. The district bills Medicaid on some of its Medicaid reimbursable activities. The current relationship with Hillsborough County, to process these claims for the district can end and the district will save \$900,000 per year, if the contract with Seminole County is approved. The state of Florida has developed a billing process for us to use at no charge. The district must start using this system on November 7, 2002, but the software is not available. Until MDCPS has the software, Seminole County will charge \$1.00 per scan. By utilizing Seminole County's services, the cost will be \$5,500 or less, for the entire year.

In order to participate in the Medicaid Administrative Claiming Program, randomly selected employees, who are performing Medicaid reimbursable activities, complete a Random Moment Sample (RMS) survey documenting their activity during a school day. The results of these surveys are calculated on a quarterly basis to determine the financial reimbursement the district is eligible to receive.

The School Board of Seminole County (SBSC) will act as a data manager for approximately 15 school districts participating in the Medicaid Administrative Claiming Program. As the data manager, SBSC will input personnel data provided by M-DCPS, randomly select the employees to participate in the RMS, print the sample forms to be completed by the employees, package and send the sample forms to M-DCPS ready for distribution. Additionally, they will scan the returned forms and calculate the percentage of reimbursable activities required to complete the financial documentation for submitting a claim.

Dr. Hinds made a motion to accept this contract as specific expertise. Mr. Brown seconded the motion. A vote was taken and the motion passed unanimously.

PS-4 REQUEST FOR AUTHORIZATION TO ENTER INTO A CONTRACTUAL AGREEMENT WITH INFORMED FAMILIES TO IMPLEMENT A PARENT INVOLVEMENT INITIATIVE, COMMUNITY ACTION TEAM (CAT) AT SOUTH MIAMI MIDDLE SCHOOL AND JOSE DE DIEGO MIDDLE SCHOOL IN AN AMOUNT NOT TO EXCEED \$100,000 FROM JANUARY 2, 2003 THROUGH JUNE 30, 2003.

Ms. Hallberg provided information on the above item. Informed Families will provide a monthly newsletter to parents and information on activities specific to schools.

Mr. Brown asked who are their competitors on this concept. Ms. Hallberg said she is not aware of any other agency that could provide all of these services. Mr. Brown asked for the results of the evaluation of this program. Ms. Hallberg said that the evaluation indicates that involvement by parents show that children will be less likely to get involved in drugs.

Dr. Barefield-Cox asked about the \$100,000 figure. Ms. Hallberg said that was the amount proposed by the organization. This includes parental kits, training to parents, and the newsletter.

Dr. de Armas asked if an RFP had been processed. Ms. Hallberg said no. This is a federal grant.

Dr. Barefield-Cox asked when will the program begin, and if there is still time to process an RFP. Ms. Hallberg said that time is significant. The grant monies are for a certain period of time.

Mr. Burgess asked if the district has ever done market research for such programs. Ms. Hallberg said no. Ms. Hallberg said there are materials out in the market, but they are not included in the training. Mr. Felton stated that Informed Families does all the work.

Mr. Brown asked the time frame to spend the grant. Ms. Hallberg said the deadline is June 30, 2003, or the monies will have to be returned.

Dr. de Armas suggested that this contract be implemented but we should research other companies for future grants. Mr. Felton said they will research other companies for next year. Dr. de Armas asked how the funds will be used. Ms. Hallberg said monies will fund 32 school-site trust specialists, curriculum for elementary programs, and many other services.

Dr. Koonce asked what factors guided the district to develop this plan with this organization. Ms. Hallberg said past history and relationship with the organization. The other programs do not have parental involvement.

Dr. Barefield-Cox asked if the program was intended for 10 or 12 months. Ms. Hallberg said it was not clear in the contract. Dr. Barefield-Cox suggested that next year, if the funding is available, start the process early, develop an RFP and test the markets based on parental needs.

Mr. Burgess made a motion to accept the contract and Mr. Brown seconded the motion. Mr. Brown re-stated the motion to accept the request for PS-4 to enter into a contract with Informed Families to do market research for next school year, and based on the results, prepare an RFP. A vote was taken and the motion passed unanimously.

PS-6 REQUEST FOR AUTHORIZATION TO ENTER INTO A CONTRACTUAL AGREEMENT WITH BIRNIE AND ASSOCIATES TO PROVIDE CONSULTING SERVICES IN THE AREAS OF READING EDUCATION AND SCHOOL REFORM FOR MIAMI NORLAND SENIOR HIGH SCHOOL IN AN AMOUNT NOT TO EXCEED \$5,000 FROM OCTOBER 16, 2002 THROUGH JANUARY 15, 2003.

PS-7 REQUEST FOR AUTHORIZATION TO ENTER INTO A CONTRACTUAL AGREEMENT WITH DR. CATHERINE SOLLI TO PROVIDE CONSULTING SERVICES IN THE AREAS OF READING EDUCATION AND SCHOOL REFORM FOR MIAMI NORLAND SENIOR HIGH SCHOOL IN AN AMOUNT NOT TO EXCEED \$5,000 FROM OCTOBER 1, 2002 THROUGH NOVEMBER 8, 2002.

Dr. de Armas stated that items PS-6 and PS-7 are not Education items. Dr. Koonce said they were region items.

Ms. Verdell King provided information on the above items. These individuals will provide consulting services for Miami Norland Senior High School. Miami Norland Senior High School has over 600 students reading at an achievement level 1.

Ms. Billy F. Birnie will be working with administrative teams and new staff members. Ms. Birnie has worked with staff in Region VI and Winston Park Elementary School. Dr. Catherine Solli will provide services exclusively to Social Studies and Science teachers.

Dr. Barefield-Cox asked if the services were underway. Ms. King said no. Dr. Barefield-Cox asked how these two consultants were identified. Ms. King said that Dr. Solli is highly recommended by Barry University, and Ms. Birnie worked with Miami-Dade County Public Schools and is also highly recommended by staff.

Mr. Brown asked if Miami Norland Senior High School was a low performance school. Ms. King said yes, by state standards.

Ms. King stated that these two individuals not only bring their expertise, but they know our system and what we are looking for. Ms. King said there was another individual, but the fees were very high.

Mr. Brown made a motion to accept the two contracts based on specific expertise. The dates of the contract must be corrected. A vote was taken and the motion passed unanimously.

There being no further business or discussion, Dr. Koonce thanked committee members for all their work and assistance and moved to adjourn the meeting. The meeting was adjourned at 10:20 a.m.