

**21ST CENTURY SCHOOLS BOND ADVISORY COMMITTEE
MEETING MINUTES – September 9, 2014**

The 21st Century Schools Bond Advisory Committee (Committee) met on September 9, 2014 in the Media Center of Gertrude K. Edelman/ Sabal Palm Elementary School. Chairman Martinez called the meeting to order at 3:40 p.m.

Committee Members

Mr. Roberto Martinez
Ms. Cindy Lerner
Mr. Cecil T. Daniels
Mr. Anthony Dawsey
Dr. Jaap Donath
Dr. Sean Foreman

Mr. Samuel Lee Gilmore Jr
Mr. François Illas
Ms. Gepsie Metellus
Mr. Alan Rubin
Mr. Joseph Gebara

**Ex-Officio Non-Voting
Members**

Senator Rene Garcia
Mr. Jaime G. Torrens

Miami-Dade County Public School Attendees

Mr. Alberto M. Carvalho
Mr. Perla Tabares Hantman
Dr. Lawrence S. Feldman
Mr. Walter J. Harvey
Mr. Sherwood DuBose
Mr. Roberto Martell
Mr. James F. Murley
Mr. Julio Piti
Mr. Carl Nicoleau
Ms. Daisy Gonzalez- Diego
Ms. Tabitha Fazzino
Ms. Ana Rijo-Conde
Mr. Raul F. Perez
Mr. Brian Williams
Mr. Leo Fernandez

Mr. Jerold Blumstein
Mr. Thomas Knigge
Dr. Sylvia Diaz
Ms. Debbie Karcher
Ms. Melody Thelwell
Mr. Rick Yanez
Mr. Jose Bueno
Ms. Shari Lee
Mr. Victor Alonso
Ms. Tammy Reed
Ms. Arlene Stanek

Recording Secretary

Ms. Erika Duarte

Other Attendees

Mr. Glen White
Ms. Raissa Lopez
Mr. Gregory Gomez
Mr. Charles Nyarko
Mr. Ardell Daniels
Mr. Robert Davis
Mr. Wayne Messam
Mr. Steve Messam
Mr. Jorge Gutierrez
Ms. Rosa Larue
Mr. Martin A. Diaz-Yabor
Mr. Robert Tyler
Mr. Anthony Davis
Mr. Romany Branch
Mr. Ruel Miles

Mr. Martinez called the meeting to order and welcomed everyone to Gertrude Edelman/ Sabal Palm Elementary School, pausing to thank Principal Greico for hosting the Committee meeting. He noted that as soon as there was a quorum present, discussion and action on the Annual Report, the focus of the meeting, would be taken up. Mr. Martinez proceeded to welcome the Superintendent.

Mr. Carvalho recognized School Board Chair, Ms. Tabares Hantman, and School Board Vice-Chair, Dr. Feldman, and thanked them both for joining the gathering. The Superintendent then discussed implementation of the Bond pointing out its continued progression as planned. A retrospective look would indicate that the Board has had

significant achievements since the passage of the Bond such as ensuring that financing remains in accordance with what was promised to the tax payers. For the second year in a row, with the help of a number of factors including a better than expected required local effort from the State and excellent financial management locally, the Board was able to achieve a rate reduction greater in value than the increase attributable to the Bond debt, or the specific rate approved by the voters. Even though tax increases were expected, the total tax rate in Miami-Dade County essentially decreased. Mr. Carvalho felt another initiative worth noting was the implementation of the technology initiative, which was delivered in a way that is setting a national standard. This initiative included the installation of Wi-Fi in all buildings, the dramatic expansion of bandwidth, and the purchase and installation of approximately 11,000 Promethean boards.

Mr. Carvalho then noted that an area of continued progression and expansion is equity in economic opportunity. He pointed out that there is some community frustration remaining in this area and added that without acknowledgement there is no solution. As an example, Mr. Carvalho indicated it was unacceptable that in the past as little as 7 to 8 percent of construction dollars were awarded to African American owned firms. He further noted that likewise, the representation of female owned entities was significantly lower than it is today. In an effort to be proactive, the Board launched aggressive policies to change this economic landscape. Mr. Carvalho reminded the Committee that the construction aspect of the Bond is still in the infancy stage of roll-out, and that new policies will take some time to be fully implemented. Once in effect though, they will provide advantages for small business entities, minority business entities and locally owned firms.

Mr. Carvalho next discussed the Disparity Study, noting that disparity was found in a number of areas. The question researched was whether disparity existed during the study period at the General Contractor level or at the sub-contractor level, and at the Engineering and Architectural prime and sub-consultant level. The other question researched was whether there was obvious and verifiable community disparity beyond the funds controlled by the Board, but specific to private sector opportunity. Four out of five different areas reported disparity, except at a sub-contractor level, where based on community availability of sub-contractors representative of certain demographic groups in the community, the authors of the study concluded that there was no disparity found. Mr. Carvalho went on to explain the workings of the Disparity Study, beginning with the contractor publishing it as a draft and followed by review and comment from a number of community organizations. In addition, Mr. Carvalho indicated he had also commissioned in-depth reviews by third parties, one to be completed by the Chief Auditor, and one by a renowned economist. The economist, Dr. Danny Boston of Georgia Tech University, was retained to undertake a review and assessment of the study. Mr. Carvalho concluded that the study would not be released until fully probed and understood.

As a final point, Mr. Carvalho added that the District would soon be finalizing a number of Townhall Meetings on Bond implementation throughout the County. Using Gertrude Edelman/Sabal Palm Elementary as an example, Mr. Carvalho noted the types of improvements being undertaken under the Bond, in the particular case a \$2.3 million investment completed on time and on budget. Investment at the school entailed the replacement of all the windows and doors, and improvements to the kitchen along with security cameras. Mr. Carvalho then acknowledged that a quorum was present, and directed the meeting back to the Chair after thanking him for his work on the Committee.

Mr. Martinez noted that five Townhall Meetings had taken place throughout the County since the Committee's meeting of August 25th. He thanked the Superintendent and his staff for their efforts. Mr. Martinez then turned the attention of the Committee to the First Annual Report, and confirmed that a quorum was present. He noted that at the August 25 meeting the Committee was to consider the Annual Report handed out at the June meeting, and that the Report detailed District activities relative to the implementation of the Bond program for the first year, through March 31, 2014, along with some additional detail on actions occurring after that date, primarily for context. Mr. Martinez then noted that the present draft under consideration by the Committee specifically included and addressed specific items or suggestions made by the Committee members. He asked Mr. Torrens to provide further detail.

Mr. Torrens began by highlighting specific areas where changes were made, including: an explanation as to why two large projects were selected to be included in year 1 of the program (Miami Norland Senior High replacement and M.A.S.T. Academy at Key Biscayne); details on implementation of SBE and Micro Business program for year 2 projects; specific budget information by individual project, including expenditures as of March 3; professional qualifications and profiles of the OEO staff; information on how to do business with Miami-Dade County Public Schools; addition of a section titled "New Policies and Compliance Procedures"; additional details on the status of the Disparity Study; identification of program level expenditures; and addition of school addresses on each project sheet.

Mr. Torrens then noted that relative to the SBE, M/WBE, and MBE programs, with the exception of Miami Norland Senior High and M.A.S.T. Academy, year 1 projects did contain specific goals since at the onset of the Bond rollout, the District had not yet adopted SBE, M/WBE, or MBE programs. In year 2 however, 47 projects were specifically set aside for small and micro business firms. With regard to diversity and inclusion of GOB staff, the meeting planned for Thursday of the prior week with NAACP representatives had not taken place as planned as a Memorandum had been received from the President of the NAACP requesting that the meeting be cancelled and the items addressed in writing. That had been done, as presented to the Committee.

Mr. Martinez requested a motion to approve the First Annual Report to be transmitted to the School Board. The motion was made by Mr. François Illas; seconded by Ms. Gepsie Metellus. Mr. Martinez opened the floor for discussion.

Mr. Gilmore stated that after careful review, the stance of the NAACP was to officially reject the report and that the NAACP did not feel the Report adequately addressed Black participation, or lack thereof. Mr. Martinez asked if the comment was specific to the Promethean board installations and Mr. Gilmore confirmed such. Mr. Gilmore also stated that as it related to M.A.S.T. Academy and Miami Norland Senior High, participation goals have fallen short of expectations. With respect to the Disparity Study and the errors found within it after the audit review, Mr. Gilmore felt that MGT should undertake a more in depth review. Mr. Gilmore reminded the Committee that in a previous meeting he had requested that a payment committee be formed, but that there has not been any action taken to date on that regard. He also pointed out his disagreement with current protocol where prime contractors have separate and distinct requirements for a sub-contractor to be able to bid a job.

Mr. Gilmore informed the Committee that he would be resigning from the Committee and that the NAACP seat would be vacant at this time. Mr. Martinez expressed his respect and gratitude to Mr. Gilmore and thanked him for his involvement. Mr. Rubin asked Mr. Gilmore if his objection to the Report was with respect to its accuracy or misinformation. Mr. Gilmore advised that there was an email sent to Mr. Torrens from the NAACP, which contained reasoning as to why their decision was made, and asked that the email be shared with the Committee. Mr. Carvalho asked Mr. Gilmore to clarify if the responses from M-DCPS to the questions posed by the NAACP the day before had been read by the entity. Mr. Gilmore responded that he did not believe that to be the case. Mr. Carvalho added that he had reviewed the responses submitted and felt every question was addressed point for point in a comprehensive manner. Mr. Gilmore stated he had not had a chance to thoroughly review the document himself and could not confirm if the President of the NAACP had, but the decision announced at the meeting was made prior to receiving he responses to the questions yesterday.

Mr. Harvey then advised the Committee that his staff received an email from Mr. Erick Deeb of the Spanish American League Against Discrimination on behalf of Committee member Reverend Guillermo Revuelta. Mr. Harvey proceeded to read the email aloud, which stated that on behalf of the Spanish American League Against Discrimination, they wished to endorse approval of the First Annual Report. It continued to state how proud they are of all the outstanding work put forth by everyone at the School Board, and how grateful they are about how much this project will enhance the lives of students and their families for years to come.

Ms. Metellus next expressed her appreciation for the corrections made to the Report based on some of the recommendations put before the Committee. She reminded the Committee that there are still some serious issues that need to be tackled, and would hope that the Committee will keep those in the forefront and continue to address them.

Mr. Martinez assured all that the purpose of the Annual Report put forth today was to report to the School Board and the community on the activities of undertaken in the first year, only. He encouraged the Committee and members of the community to express their views directly to Board at any time they choose, outside of or beyond the Report. Mr. Martinez stated that in his opinion the work of the School Board, the District and the Superintendent as it relates to the implementation of the first year of the Bond has been successful, and applauded them for achievements thus far, and for fulfilling the needs of the community.

Mr. Martinez once again requested a motion to approve the First Annual Report to be transmitted to the School Board. The motion was made by Mr. Robert Martell; seconded by Mr. François Illas. The motion passed 10-1 with Mr. Gilmore in opposition.

Mr. Carvalho reiterated that as with respect to the Disparity Study, he understood from the onset the sensitivity of the topic and related issues, and at this time the important thing is to move forward with solutions. He noted that it would take some time to mature the program until we reach the ideal status desired by all. Mr. Carvalho echoed Ms. Metellus' frustrations, and recapped the information discussed prior to her arrival about the different entities involved in the auditing process. He highlighted the third party entity's test of data

specific to the sub-contractor level, to ensure accuracy. Additionally, even though there was disparity found at the General Contractor level, it should be acknowledged that up until recently there was only one African American entity in the General Contractor level. To date, two of four large contracts awarded to General Contractors have gone to African American owned firms.

Mr. Martinez requested a motion to approve the Minutes of the June 25, 2014 meeting. The motion was made by Mr. François Illas.; seconded by Mr. Alan Rubin and passed unanimously.

Mr. Gilmore noted to the Committee that from 1992 through 1996, African American contractors went from less than 1% to 10.4% of all contracts. Until now, there had never been a disparity study done by Miami-Dade County, causing the community to miss out on various opportunities. Mr. Carvalho emphasized that with the appropriate refinements in procurement policy, and the additional reviews by independent entities, combined, will produce a very different outcome.

Mr. Dawsey expressed that the commitment from the Superintendent and the process in place are a step in the right direction, and that this process will be valuable to the community. Notable are that each and every school is being worked on in one way or another, which makes him feel optimistic. He stressed that we need to acknowledge and deal with the issues at hand with so that future generations can evolve.

Dr. Feldman acknowledged that every Committee member present has been an influential voice of importance to the Board. He expressed that he hoped that all the Committee members would reconsider their affiliation with this group, at least until the following round and to not deny their expertise to the Committee.

Dr. Foreman voiced his respect for Mr. Gilmore and the NAACP's decision to vote against the report, but urged them to stay involved in the process. Decisions can only be made by those who show up, and resigning from their membership on the Committee would mean that the issues that they feel are important won't advance in the same way as they would, if they were present to advocate. Mr. Martinez agreed with Dr. Foreman and asked that Mr. Gilmore relay the message to the NAACP.

Mr. Torrens announced that there were multiple Small and Micro Business contractors, architects and engineers present at meeting who would be providing testimonials as to their experience working with the District on the Bond program to date.

**Messam Construction; CM at risk firm
Wayne Messam**

Mr. Messum noted that he is a Black-owned General Contracting firm, and that based on the certification process and the openness of the staff to hear concerns which have arisen, he felt that the OEO has done an exceptional job. He added that while the policies aren't perfect and there are more gains to be made, they feel encouraged based on their experience thus far. He hopes that this process will help right the wrongs of the past and make improvements throughout the community.

Eastern Engineering; Architectural Engineering firm
Raissa Lopez

Ms. Lopez was qualified as an MBE and M/WBE firm and expressed her satisfaction with the program thus far. She also noted she looks forward to continuing work on the Bond program.

Jorge A. Gutierrez Architect, LLC; Architectural Engineering firm
Jorge Gutierrez

Mr. Gutierrez, the owner of a Micro Firm, stated he is thankful for the opportunity that has been afforded him. He spoke about a recent tri-county meeting he attended where Mr. Torrens spoke and educated him on the SBE/MBE program. Mr. Gutierrez pointed out that many Architects and Contractors have branched out and started their own small firms and without opportunities such as this one, many of these new businesses would struggle.

Nyarko Architectural Group; Architectural Engineering firm
Charles Nyarko

Mr. Nyarko stated that programs such as the one in place for Micro business firms make it possible for small firms to compete with the larger ones. He did make note that the criteria and requirements used to select Architects could be modified and improved upon.

Mr. Torrens noted that selection criteria have been updated for Small and Micro Solicitations, no longer restricting firms without prior experience from being considered. The larger projects do require prior experience working with the School District. Small firms are now given an opportunity not available in the past as they can start as a Micro firm and gain the experience which will allow them to bid on larger projects in the future. If a firm is doing an exceptional job, they have the chance to accelerate the process to compete for larger solicitations before obtaining the minimum prior experience required.

Mr. Williams stated that one of the initiatives put in place to incorporate small businesses into the program was that sheltered markets projects' were set aside to restrict the pool of bidders to only small businesses so that they are competing with firms relative to their size. He stated that this process is about progress and that procedures are constantly being examined in an effort to better the process. Mr. Martinez clarified that the term sheltered market refers to a project for which a firm cannot compete if beyond the small business category.

Canyon Construction; Construction Management
Rosa LaRue

Ms. LaRue indicated her firm is a product of a Micro business and has succeeded. She added that change will always bring controversy, and welcomes the challenge. She is grateful for having a platform to speak today and added that the District should continue to push for change.

**Max Wolfe Sturman Architect; Architectural Engineering firm
Max Sturman**

Mr. Wolfe noted that he has seen many changes in the School Board and expressed the passion he felt when he worked with the School Board 20 years ago when awarded Ada Merritt ES. Ten years later when he attempted to work with the District again his firm had not met the requirements, even though they successfully completed a project a decade earlier. Mr. Wolfe indicated that at this time he has access to an overabundance of useful information, and commented on how efficient and helpful the District has been throughout the process.

**Unitech Builders Corp; Construction Management
Gregory Gomez**

Mr. Gomez stated he is a SBE Contractor. He began by congratulating the School Board after attending the first quarterly meeting which he found to be extremely informative. He is thrilled to have this opportunity to speak on behalf of his firm and looks forward to the work ahead.

**IGWT Construction, Inc.; Construction Management
Bob Tyler**

Mr. Tyler is the President of the IGWT, which has been in business for 16 years. He stated that he worked with Miami-Dade County Public schools 24 years ago but decided eventually to no longer do business with the District for a number of reasons which he is happy to see have been addressed, as discussed this afternoon. He feels and has heard in the Construction community that this is an encouraging time to do work with the School Board.

Mr. Martinez thanked all of the Firms who attended and spoke. He expressed that their input is invaluable to the Committee and welcomed them to attend the quarterly Committee meetings anytime they would like.

Mr. Torrens provided an Update on the Year 1 Project Rollout as follows:

- 57 schools currently in construction
- The few remaining are in the final stages of design, bidding and permitting and expected to be in construction shortly

Mr. Torrens next provided an Update on the Year 2 Project Rollout as follows:

- 54 projects have been assigned to small/ micro business architects and contractors
- 9 of the larger projects have been assigned to other A/EPC's
 - 16 of these are larger projects over \$2 million and require individual solicitations, currently in process.

Mr. Torrens next provided an Update on the Year 3 Project Rollout as follows:

- 54 projects in Year 3
 - 47 projects over \$2 million that require individual solicitations. The anticipated release date slated for first quarter of next year
 - 107 projects contain smaller scope projects have been accelerated from Years 4 and 5, such as playgrounds, portable demolitions, roofing and critical air conditioning projects; 42 of these projects have already been completed and the rest will be completed or in construction by the end of the year.

Mr. Torrens stated that the total expenditures are increasing, with a to date total expenditure amount of almost \$63 million and an additional \$71 million of encumbrances. Mr. Martinez asked Mr. Torrens to project expenditures by March 31, 2015. Mr. Torrens responded that he expects the total expenditures to double by that time.

Mr. Carvalho suggested that due to the time constraints the Committee may wish to skip the technology portion of the presentation and add it to the December agenda. He pointed out that technology expenditures account for almost 50% of the total expenditures to date, even though the brunt of the expenditures will now be spent on Capital Construction, to improve the quality and safety of our buildings.

Dr. Diaz confirmed that all 11,000 Promethium Boards have been installed. She also mentioned that the tablet roll-out is still in the works, with phase 1 completed in April of this year. Mr. Carvalho explained how by purchasing the devices with a Bank of America loan, the debt will not outlive the useful life of the tablets. Prior to introducing Mr. Williams, Mr. Martinez commended him for all of the excellent work done by himself and his staff.

Mr. Brian Williams then provided an update on the Office of Economic Opportunity Outreach activities as follows:

SOME OF THE EVENTS HOSTED BY THE OEO INCLUDE:

- 10 Radio, Television and newspapers
- 2 prequalification events
- 57 Community Outreach events

UPCOMING OUTREACH REGARDING DISPARITY STUDY:

- School Board Workshop- October 2014
- GOB Oversight Committee Special Meeting- October 2014
- SBE Advisory Committee- October 16, 2014
- Community at-large Workshop- October 2014
- Final Presentation to School Board on Final Disparity Study report- November 2014

Mr. Torrens stressed the importance of joint site visits between District staff and the project SBE/ MBE firms. The District makes sure to guide them and does everything it can to help them succeed. Mr. Williams detailed an upcoming workshop where M-DCPS Facilities Staff will be educating small businesses on how to properly respond to a bid so that they are ultimately successful in this process. Mr. Williams stressed how access to the District staff is crucial in order for these firms to succeed, and encouraged them to reach out whenever necessary. Mr. Martinez asked that everyone on the Committee consider "adopting" a couple of schools of their choice voluntarily. It was suggested that the Committee

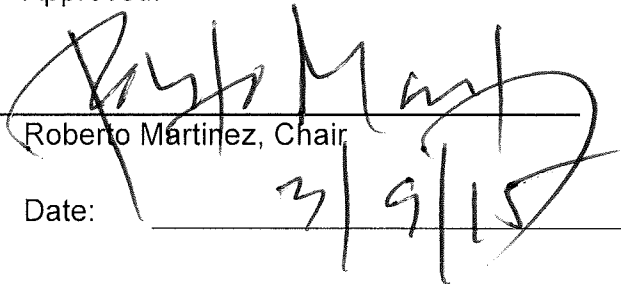
sporadically visit and keep track of the progress in whichever schools they choose. Mr. Torrens requested that the Committee members send his staff an email advising of their choices.

Mr. Williams explained that there would be a special meeting of the Committee in October where Dr. Danny Boston, the independent economist hired by the Board to review the Disparity study, would be present to explain his findings on the Disparity Study. The Chief Auditor will also be present to discuss his findings. Mr. Martinez advised that an exact date for the October meeting to discuss the Disparity Report is forthcoming. Mr. Williams thanked the Committee for their patience during this lengthy process.

Mr. Torrens advised the Committee that as soon as the meeting is adjourned he will be conducting a tour of the premises to showcase the completed Bond work.

There being no further business to discuss, Mr. Martinez adjourned the meeting at 5:50 p.m.

Approved:


Roberto Martínez, Chair
Date: 3/9/15