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September 5, 2017

VIA CERTIFIED MAIL

Ms. Brenda J. Billingsley,
Purchasing Director,
Broward County
115 South Andrews Avenue
Fort Lauderdale, Florida 33301

RE: Commissioner Nan Rich's comments at the June 13, 2017 County
Commission Meeting.

Dear Ms. Bilingsley,


Please be advised that Joseph Goldstein, Esq., and I represent S. Davis & Associates, P.A. in their bid protest. This letter is being written pursuant to Section 1-266(e)(5) of the County's Procurement Code, entitled Permitted communication during the Cone of Silence, from the Broward County Purchasing Code in order to address comments by Commissioner Nan Rich at the June 13, 2017 County Commission meeting. A transcript of those statements is attached hereto. At that meeting, Commissioner Rich stated that the prime contractor, S. Davis & Associates, (hereinafter referred to as "SDA"), "...did a totally nonresponsive job..." in the audit of the Broward Behavioral Health Coalition, (hereinafter referred to as "BBHC"). Please be advised that SDA has never been engaged to audit BBHC as prime or as subcontractor to a prime. We are concerned that this statement may negatively affect the procurement process and thus would request that this information be given to the members of the County Commission and the members of the evaluation committee.

Ms. Brenda Billingsley
Information regarding BBHC audit
August 31, 2017
Page 2 of 2

BBHC's initial engagement contract was with Goldstein Schechter Koch. BDO acquired Goldstein Schechter Koch in August of 2016 and, therefore, BBHC's audit report was issued in December of 2016 by BDO. While BDO is a subcontractor to SDA for Broward County's current Solicitation Number R2112554P2 for External Audit Services, the partners and managers from BDO who would be a part of the S. Davis & Associates team under their proposal for the Broward County audit engagement are not from Goldstein Schechter Koch. Nor were they involved in the BBHC audit.

We sincerely hope this clears up any misunderstanding and would be glad to answer any questions that the County Commission or County staff might have regarding this matter.

Sincerely,



Joe Goldstein



Ilene Lieberman Michelson

ILM/pp
enclosure

Min: 1:56:17 **Commissioner Nan Rich:** First of all, I want to say that obviously it is incredibly laudable and correct that we, as prior to the time I came here, this Commission tries really hard to enhance small businesses and bring them along and turn them into larger businesses and successful ones. But I have a serious, serious problem. You know we have an RFP. We have an RFP process. I mean, in my opinion, I do not believe you can just throw that out. I'd like to know first of all what is the recourse for RSM if we throw that out right now.

County Attorney Coffey: "If you waive the code entirely, they should have no legal standing to challenge your decision."

Commissioner Nan Rich: "Well, I would not be in favor of that and I would not obviously support that motion. You know, if we, if the RFP didn't have in it what we want it or what we think it's important, then it comes upon us to fix it for the next time but as far as I am concerned, I do not believe that you can throw this out now. And I want to just say. I just, I do obviously agree with Commissioner LaMarca on this, also as far as the prime firm —maybe it is inappropriate to say that but I will— I've had experience as a member of the Broward Behavioral Health Coalition Board, with the other prime, not the number 1 but the one that is now number 2, and they did totally a nonresponsive job, as far as the BBHC. So, I think we should stay with our RFP process and if we want to fix it for the next time, fine but as set already, they are all minority businesses involved in the RSM award so I think that that would resolve that issue and I would like to say Mr. Milton, Welcome to Broward County!