



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

**Legislative Analysis**

**Regional Transportation**  
**Committee**

June 13, 2011

9:30 A.M.

Commission Chamber

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Commission Auditor  
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**Miami-Dade County Board of County Commissioners  
Office of the Commission Auditor**

**Legislative Notes  
Regional Transportation Committee  
Meeting Agenda**

**June 13, 2011**

Written analyses and notes for the below listed items are attached for your consideration:

**Item Number(s)**

1F4
3A
3B
3D

Acknowledgements

Bia Marsellos, Legislative Supervisor

Michael Amador-Gil, Senior Legislative Analyst

Elizabeth Owens, Legislative Analyst

Mia Marin, Legislative Analyst

**MIAMI-DADE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

**Agenda Item:** 1(F)4  
**File Number:** 111182  
**Committee(s) of Reference:** Regional Transportation Committee  
**Date of Analysis:** June 8, 2011  
**Type of Item:** Grant Application

**Summary**

This resolution authorizes the following actions for costs related to the construction of the Quail Roost Park and Ride Facility (Project):

- Filing of a grant application for fiscal year (FY) 2011, \$5307 - Congestion Mitigation Air Quality (CMAQ) and Surface Transportation Program (STP) flexible funding with the United States Department of Transportation Federal Transit Administration (FTA) in the amount of \$2,879,076;
- Execution of the grant agreement pursuant to such application;
- Receipt and expenditure of funds pursuant to such application and agreement;
- Receipt and expenditure of any additional agreement funds should they become available; and
- Use of State Toll Revenue Credits (TRC) totaling \$719,769 to serve as a soft match for this Project.

**Budgetary Impact**

This Project is estimated to cost approximately **\$3,869,864**. Funding for the construction of this Project includes:

- \$2,879,076 - FTA grant funds (this item)
  - \$719,769 - TRCs<sup>1</sup> (this item) as a soft match
- \$ 990,788 - Developer's Credit (R-1014-10)

***According to Miami-Dade Transit (MDT), FTA funding is at 80%. FTA allows agencies the use of TRCs to match the Federal funds allocated without the use of cash for the approximate 20% local match required. The match is a soft match; therefore, it is not physical cash and it allows MDT to use 100% of the FTA funds at \$2,879,076.***

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<sup>1</sup> FDOT has provided the County a memorandum dated May 26, 2011 authorizing Miami-Dade Transit to use \$719,769 in State of Florida TRCs as soft match for this FTA project.

## Background and Relevant Legislation

Provided below, is the Board of County Commissioners (BCC) legislative history for this Project.

<u>Date</u>	<u>Resolution</u>	<u>Legislation</u>
April 15, 1997	R-404-97	<p>This resolution authorized the conveyance of property located at 10235 S.W. 186<sup>th</sup> Street, to West Perrine Community Development Corporation (WPCDC), a not-for-profit Florida corporation, for ten dollars (\$10) pursuant to §125.38 of the Florida Statutes, for the express purpose of providing business enterprise development and job creation for low-income persons. The conveyance included an automatic reverter of the property back to the County if WPCDC did not use the property to provide business enterprise development and job creation for low-income individuals.</p> <p>On March 27, 2002, the Office of Audit and Management Services (AMS) issued a report concluding that WPCDC should be placed on management watch and that no additional County monies should be released until appropriate safeguards are implemented to assure funds are used solely for intended purposes.</p> <p>On October 10, 2006, the County sent a letter to WPCDC stating that the reverter clause in the deed would be enforced.</p> <p>In November 2006, the adjacent landowner, the Developer, presented its development plans to the County, which included a Park and Ride facility for MDT. The subject property was to be part of a Transit Oriented Development (TOD) project.</p>
June 3, 2008	R-692-08	<p>This resolution approved an Exchange Agreement with Transordev, LLC (Developer), declaring surplus County-owned property located at 10235 S.W. 186<sup>th</sup> Street, authorizing a waiver of Administrative Order 8-4 as it relates to the review by the Planning Advisory Board, approving a Quit Claim Deed to the property, and approving the exchange agreement in the amount of \$2,400,000.</p> <p>Subsequently, staff discontinued pursuit of the reverter and negotiated this Exchange Agreement by which the Developer agreed to build the TOD project, provide the County with a credit of \$990,787 towards the lease or purchase of up to 500 parking spaces to be built by the Developer in the TOD.</p>
Oct. 5, 2010	R-1014-10	<p>The BCC authorized the County Manager to take action to acquire a portion of the property owned by Transordev, LLC collectively with Quail Roost Station –P4, LLC, located at the South Miami-Dade Busway between S.W. 184<sup>th</sup> Street and S.W. 186<sup>th</sup> Street for use as a park and ride.</p>

According to the County Manager's memo (this item), due to the current economic conditions, the development original concept will not be moving forward, and the \$990,787 credit is now available for this land acquisition.

#### Federal Funding

***In regards to the temporary suspension of federal grants to MDT, FTA is allowing MDT to submit necessary documentation to authorize formal grant awards for projects such as the University Overpass and the Quail Roost Park and Ride, which will preserve the funding.<sup>2</sup> Currently, FTA is considering a limited drawdown status for MDT, as MDT addresses the eight action items.<sup>3</sup> To date, however, there is no official word in regards to lifting the suspension.<sup>4</sup>***

#### FTA Flexible Funds

Flexible funds are certain legislatively specified funds that may be used either for transit or highway purposes. This provision was first included in the Intermodal Surface Transportation Efficiency Act of 1999 (ISTEA) and was continued with the Transportation Equity Act for the 21st Century (TEA-21). The idea of flexible funds is that a local area can choose to use certain Federal surface transportation funds based on local planning priorities, not on a restrictive definition of program eligibility<sup>5</sup>.

The CMAQ has the objective of improving the Nation's air quality and managing traffic congestion. Eligible activities under CMAQ include transit system capital expansion and improvements that are projected to realize an increase in ridership; travel demand management strategies and shared ride services; pedestrian and bicycle facilities and promotional activities that encourage bicycle commuting. Programs and projects are funded in air quality nonattainment and maintenance areas for ozone, carbon monoxide (CO), and small particulate matter (PM-10) that reduce transportation-related emissions<sup>6</sup>.

STP funds may be used as capital funding for public transportation capital improvements, car and vanpool projects, fringe and corridor parking facilities, bicycle and pedestrian facilities, and inter-city or intra-city bus terminals and bus facilities. As funding for planning, these funds can be used for surface transportation planning activities, wetland mitigation, transit research and development, and environmental analysis. Other eligible projects under STP include transit safety improvements and most transportation control measures<sup>7</sup>.

#### **Comment**

According to MDT, the design, right-of-way and construction are all pending for this project.

**Prepared By:** Elizabeth N. Owens

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<sup>2</sup> County Manager memo dated March 31, 2011.

<sup>3</sup> Chairman letter to FTA dated May 3, 2011.

<sup>4</sup> As relayed in a conversation with the County Manager's office on May 5, 2011 and with OSBM on May 24, 2011.

<sup>5</sup> Website: [http://www.fta.dot.gov/funding/grants/grants\\_financing\\_3786.html](http://www.fta.dot.gov/funding/grants/grants_financing_3786.html)

<sup>6</sup> *Ibid*

<sup>7</sup> *ibid*

**MIAMI-DADE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
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Legislative Notes

**Agenda Item:** 3(A)

**File Number:** 111198

**Committee(s)  
of Reference:** Regional Transportation Committee

**Date of Analysis:** June 8, 2011

**Commission District:** 6

**Type of Item:** Third Amendment to the Baggage Handling System Consultant Agreement with URS Corporation Southern, Project No. B703A5

**Summary**

This resolution approves the Third Amendment to the Consultant Agreement for the North Terminal Development (NTD) Automated Baggage Handling System (BHS) between URS Corporation Southern (URS) and Miami-Dade County (County) increasing the contract amount by \$2,275,000 for an adjusted amount of \$15,006,800.

The Third Amendment, to be funded from the NTD Contingency Account, is to pay for the remaining contract work including completion of testing and TSA re-commissioning procedures for Phase 3 and additional work related to the existing baggage sorting device, the scope of which will be performed from April 1, 2011 to the completion of the BHS system.

The justification for the amendment states the following:

- *Having one large system did not provide the redundancy factor necessary for a major airline hub operations, therefore the County and American Airlines (AA) teams decided that it will be necessary to replace it with two smaller conveyors with simultaneous availability in case of a breakdown. This change created new baggage related work which required planning, engineering, installation and testing scope of work and has been added to the URS current scope.*

**First Amendment**

The Board of County Commissioners (BCC) adopted R-469-10 on May 4, 2010, ratifying the actions of the County Mayor and Aviation Director modifying the URS contract increasing the amount by \$7,000,000 for an adjusted amount of \$11,731,800. The description and justification of the modification stated in R-469-10 is as follows:

- *Siemens Energy and Automation, properly delivered a fully functional system. As has been reported to the BCC, numerous program changes and delays have impacted this extremely complex BHS project since the County and URS entered into this agreement including programming issues. AA requested enhancements, additional TSA requirements and owner requested changes. This amendment provides the necessary funding for URS to continue in its role as the owner's representative.*

## **Second Amendment**

The BCC adopted R-11-11 on January 20, 2011, ratifying the actions of the County Mayor and Aviation Director modifying the URS contract increasing the amount by \$1,000,000 for an adjusted amount of \$12,731,800. The description and justification of the modification stated in R-11-11 is as follows:

- *Due to the delays with the BHS, this amendment provides the funding for URS to continue its services of providing required construction administration services for the installation, coordination and oversight, check-out, testing, commissioning and final acceptance of the BHS. These services include the completion of Phase 1 and 2 installation/testing and TSA re-commissioning procedures and continuing installation of Phase 3 portion of the NTD Baggage/Screening project anticipated to be completed late 2011.*

Both prior amendments were approved by the Miami-Dade Aviation Department (MDAD) pursuant to the delegated authority provided by the BCC in Ordinance No. 08-87. Ordinance No. 08-87 authorized the County Mayor and the Aviation Director to execute change orders, extend contract time, waive liquidated damages and modify contract terms for contracts relating to the North Terminal Development Program at Miami International Airport without the need for prior BCC approval, but subject to established safeguards and BCC oversight through ratification.

Pursuant to Implementing Order 3-48, with regards to Ordinance No. 08-87: The Mayor and the Airport Director will administer the ratification/expedite process for contracts, change orders, amendments, modifications and settlement agreements and will prepare a ratification list and submit it to the BCC on a quarterly basis in January, April, July and October of each year. The latest ratification list submitted to the BCC was on January 20, 2011.

## **Background and Relevant Legislation**

The BCC adopted R-458-08 on May 6<sup>th</sup>, 2008, authorizing the County Mayor, or designee, to execute the Professional Services Agreement (Agreement) between the County and URS in the amount of \$4,731,800 for services related to the Automated Baggage Handling System (BHS) at the North Terminal Development (NTD) Project for a term of five (5) years or until all services were completed, whichever may be later.

The Agreement approved by the BCC through R-458-08, was a lump sum Agreement for \$4,320,000, inclusive of \$400,000 for possible future changes mandated by TSA, for the remaining construction administration services for the BHS through final completion of the system.

- ***Section 8.7 of the Agreement stated that the maximum payable fee for additional services shall not exceed \$400,000 and must be authorized in writing by the Project Manager.***
- ***Additionally, Article 5 of the Agreement listed various additional services that may be performed upon receipt of a service order approved by MDAD.***
- ***At that time MDAD was asked if they anticipated any changes other than possible TSA changes MDAD's response was that based on the current (2008) status, the only additional services that may be necessary are for TSA mandated changes. However, MDAD should have the liberty of using the additional \$400,000 for whatever additional services may be required.***

Lump sum agreements are usually negotiated in an effort to control costs and avoid change order requests. Under the lump sum Agreement with URS, URS was required to manage the resources and personnel to meet and comply with the requirements of the BHS schedule through the final completion date of March 31, 2011. Also, URS was at risk for slippages in the schedule.

### **Background**

The following background information is provided pursuant to the County Manager's Memorandum dated May 6, 2008:

- *Siemens is designing and installing the BHS and in order to ensure the proper installation, AA retained URS through a competitive process to act as the owner's representative. The AA Agreement with URS was assigned to the County through Resolution 735-05, the Fourth Amendment to the Lease, Construction and Financing Agreement between AA and the County.*
- *The Agreement that was assigned to the County, provided for living accommodations and vehicle leases for full-time URS personnel who did not have a local address. This is not typical in MDAD agreements. MDAD was unable to negotiate an amendment pertaining to the County's operating requirements and limitations on reimbursable travel expenses. The Agreement expired on June 30, 2006. Approximately \$2.3 million remained in the URS Contract at the time it expired.*
- *The County Attorney determined that MDAD may re-engage URS, as long as, the scope of the work remained substantially identical to the prior agreement.*

### **Questions**

- ***Why is the Third Amendment coming before the BCC for approval rather than ratification as the two prior amendments did?***
- ***What is the remaining balance of the NTD Contingency Account after this modification?***

Prepared by: Bia Marsellos



MIAMI-DADE COUNTY  
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Legislative Notes

**Agenda Item:** 3(B)

**File Number:** 111211

**Committee(s) of Reference:** Regional Transportation Committee

**Date of Analysis:** June 8, 2011

**Commission District:** 6

**Type of Item:** Resolution

**Summary**

This resolution ratifies the actions of the County Manager's designee, pursuant to Ordinance No. 95-64, in accepting and executing an *Other Transaction Agreement (OTA) No. HSTS04-11-H-CT4001* between Miami-Dade County and the Transportation Security Administration (TSA) to provide funding by TSA in the amount of \$7,478,218 for the enhancement of surveillance capabilities at Miami-International Airport (MIA); and authorizes the County Mayor or designee to access *Fairfax County Virginia Contract RQ009-997736-42B-D*, for the purpose of purchasing surveillance equipment, in an amount not to exceed \$7,478,218.00,

Miami-Dade Aviation Department (MDAD) will own, operate and maintain all assets procured under this project and will share the use of these assets with TSA to provide security surveillance capabilities to both organizations.

**MIA Surveillance Enhancement  
Estimate**

<b>Upgrade of MIA existing CCTV System, Installation and Integration of 190 New CCTVs, Event Management System &amp; Work Stations</b>	
CCTV System Upgrade	2,977,890
Event Management System	523,500
CCTV Installation & Integration	\$2,831,266
Work Station (5)	31,785
Design/Engineering/PM - 7.5%	477,333
Allowance - 10%	636,444
<b>Total</b>	<b>7,478,218</b>

Source: MDAD

**Background and Relevant Information**

On February 2, 2010, the Board of County Commissioners (BCC), through R-118-10, authorized the establishment of a contract accessing Fairfax County, Virginia Technology Equipment, Services, and Solutions *Contract No. RQ09-997736-42B-D*. However, the BCC amended R-118-10, by bifurcating and authorizing access of this contract only for the Miami-Dade Seaport Department in the amount of \$1.6

million. The BCC also approved a motion to defer award for the remaining nine (9) departments. Among the department s bifurcated, MDAD was one of the departments requesting access to the Fairfax contract.

On March 2, 2010, the BCC, through R-228-10, approved accessing the Fairfax County, Virginia Technology Equipment, Services, and Solutions *Contract No. RQ09-997736-42B-D* for the remaining nine departments mentioned above. Additionally, it approved accessing the competitively established U.S. Communities contract which was competitively solicited for and awarded by Fairfax County, Virginia, for the purchase of information technology equipment, technology services and turnkey solution.

- *According to the Manager's memo, R-228-10, did not provide any contract measures because the county was accessing another entity's contract; services provided were not covered under the Living Wage Ordinance; and the Local Preference Ordinance did not apply.*

### **Additional Information**

In response to questions posed by the Office of the Commission Auditor, MDAD staff provided the following information:

- Which areas of the MIA will be impacted by this contract? *Part of the scope of work under this agreement is the design of the upgrade of the system infrastructure to support new technology such as IP cameras, high resolution recorders and cameras, video content/analytics and storage capacity for additional CCTVs. The areas impacted will be airport-wide.*
- Will local vendors be able to participate under the US Communities contract? *The contract is competitively bid through U.S. Communities, which is a pool of contractors. I don't recall seeing a required DBE/HBE or minority component, although I supposed the awarded contractor could voluntarily hire such a firm.*
- Does the Living Wage and Local Preference Ordinances apply? *According to the February 2, 2010, BCC item approving access to this contract for various department, the Local Preference Ordinance does not apply, and services provided are not covered under the Living Wage Ordinance*

### **U.S. Communities Program**

U.S. Communities is a nonprofit government purchasing cooperative that reduces the cost of goods and services for participating agencies by aggregating their purchasing power nationwide. Lead public agencies competitively solicit contracts which U.S. Communities makes available to agencies and nonprofits nationwide.

All U.S. Communities contracts have been competitively solicited by a lead public agency in accordance with their government purchasing rules and regulations. Each solicitation contains language that advises all suppliers that the contract may be used by other government agencies throughout the United States. This language is based on the lead jurisdiction "Joint Powers Authority" or "Cooperative Procurement Authority."

Each contract supplier pays a 1% - 2.5% administrative fee to participate in the program and such fees fund operating expenses and offset costs incurred by national and state sponsors.

The U.S. Communities Program is co-sponsored by the National Association of Counties, the National League of Cities, and the National Institute of Governmental Purchasing.

MIAMI-DADE COUNTY  
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Legislative Notes

**Agenda Item:** 3(D)  
**File Number:** 111179  
**Committee(s) of Reference:** Regional Transportation Committee  
**Date of Analysis:** June 9, 2011  
**Type of Item:** Competitive Contract Modification Package

**Summary**

This Competitive Contract Modification Package includes a total of ten (10) modifications to previously approved competitive contracts, requesting to allow additional spending authority and/or time.

**Budgetary Impacts**

In total, this Competitive Contract Modification Package is requesting **\$2.387 million** in additional allocations for Miami-Dade Transit (MDT), utilizing Charter County Transportation Surtax funds, which is a component of MDT Operating funds.

Authorization to allow the use of Charter County Surtax Funds as a component of MDT Operating funds is requested in the majority of these items. However, the PTP 2010-11 Five Year Implementation Plan and Recommendations Memorandum dated May 26, 2011 states that, ***MDT and the County will face a critical issue as PTP funds currently used to support transit operations will be required for bond debt service; the estimated MDT operating budget shortfall in 2014 will be \$48 million annually.***

**How will these modifications affect MDT's financial situation?**

***In addition, none of the items are requesting the use of federal funds. Currently there is a temporary suspension of federal grants to Miami-Dade Transit (MDT).***

• **Contract Modifications:**

Item No.	Contract Title and Modification Reason	Existing Allocation and Additional Time and Spending Authority	Record of Vendors' Performance
1	Janitorial Supplies	Existing Allocation: \$1,444,700 for 12 months	There are no compliance or performance issues

	<p><u>Reason:</u> Additional time and spending authority to allow various County departments to purchase janitorial supplies.</p> <p><b><u>*See questions and comments below this chart.</u></b></p>	<p><b>Modified / Extended Term:</b> 8 months from 7/31/11 to 3/31/12.</p> <p><b>Increased Allocation:</b> \$971,000</p>	reported for the 2 firms.
2	<p><b>Coatings (Decorative, Industrial, Waterproof)</b></p> <p><u>Reason:</u> Additional spending authority to allow MDT to purchase industrial maintenance and protective coatings.</p> <p><b>Questions / Comments</b> This contract was extended administratively for 6 months to allow for the advertisement, evaluation and award of the new competitive contract.</p> <ul style="list-style-type: none"> <li>Why was the successor contract not in place prior to the expiration of the current contract?</li> </ul>	<p><b>Existing Allocation:</b> \$805,000 for 18 months</p> <p><b>Modified / Extended Term:</b> No Change. Current contract expires on 11/30/11.</p> <p><b>Increased Allocation:</b> \$75,000</p>	There are no compliance or performance issues reported for the 12 firms.
3	<p><b>Construction Equipment Rental (Pre-qualified Pool)</b></p> <p><u>Reason:</u> Additional spending authority to allow MDT to rent construction equipment.</p> <p><b>Questions / Comments</b> This item states that upcoming projects which will require rental of construction equipment are rail fastener replacement, cover board replacement, and other rehabilitation and operations maintenance project specific for Metrorail.</p> <ul style="list-style-type: none"> <li>How much does it cost to</li> </ul>	<p><b>Existing Allocation:</b> \$14,788,000 for 5 years.</p> <p><b>Modified / Extended Term:</b> No Change. Current contract expires 3/31/13.</p> <p><b>Increased Allocation:</b> \$712,000</p>	There are no compliance or performance issues reported with the 21 firms.

	<p>purchase the equipment?</p> <p>Rehabilitation and maintenance are always going to be required.</p> <ul style="list-style-type: none"> <li>Has any research been done to determine if it would be cheaper to purchase the equipment?</li> </ul>		
4	<p><b>Safety Equipment and Supplies</b></p> <p><u>Reason:</u> Additional time and spending authority to allow various County departments to purchase safety equipment and supplies.</p> <p><b>Questions / Comments</b></p> <ul style="list-style-type: none"> <li>Why was the successor contract not in place prior to the expiration of the current contract?</li> <li>If the current contract expires in September 2011 then why wait until January 2012 for a successor contract?</li> </ul>	<p><b>Existing Allocation:</b> \$1,877,000 for 18 months.</p> <p><b>Modified / Extended Term:</b> 6 months from 9/30/11 to 3/31/12.</p> <p><b>Increased Allocation:</b> \$140,000</p>	<p>There are no compliance or performance issues reported with the 13 firms.</p>
5	<p><b>Construction Chemicals and Related Items</b></p> <p><u>Reason:</u> Additional spending authority to allow MDT to purchase construction chemicals and related products.</p> <p><b><u>*See questions and comments below this chart.</u></b></p>	<p><b>Existing Allocation:</b> \$1,701,000 for 1 year.</p> <p><b>Modified / Extended Term:</b> No Change. Current contract expires on 12/31/11.</p> <p><b>Increased Allocation:</b> \$112,000</p>	<p>There are no compliance or performance issues reported for the 14 firms.</p>
6	<p><b>Original Equipment Manufacturers (OEM) Equipment – Parts and Services</b></p> <p><u>Reason:</u> To add an allocation to allow MDT to purchase OEM parts and services for various automotive equipment.</p>	<p><b>Existing Allocation:</b> \$13,086,000 for 1 year.</p> <p><b>Modified /Extended Term:</b> No Change. Current Contract expires on 6/30/12.</p> <p><b>Increased Allocation:</b> \$300,000</p>	<p>There are no compliance or performance issues reported with the 30 firms.</p>
7	<b>Construction and Industrial Tools</b>	<b>Existing Allocation:</b>	There are no compliance or

	<p><u>Reason:</u> Additional time and spending authority to allow various County departments to purchase construction and industrial tools, accessories, and supplies.</p>	<p>\$292,000 for 18 months.</p> <p><b>Modified / Extended Term:</b> 8 months from 10/31/11 to 6/30/12.</p> <p><b>Increased Allocation:</b> \$132,000</p>	<p>performance issues reported with 4 firms.</p>
8	<p><b>Bottled Water and Dispensers</b></p> <p><u>Reason:</u> Additional time and spending authority to allow various County departments to purchase bottled water throughout the 2011 hurricane season.</p>	<p><b>Existing Allocation:</b> \$660,000 for 1 year.</p> <p><b>Modified / Extended Term:</b> 6 months from 9/30/11 to 3/31/12</p> <p><b>Increased Allocation:</b> \$31,000 from the unallocated amount to MDT.</p>	<p>There are no compliance or performance issues reported for the 1 firm.</p>
9	<p><b>Tree Services, (Pre-qualified Pool)</b></p> <p><u>Reason:</u> Additional time for purchase of tree services for various County departments.</p> <p><b>Questions / Comments</b></p> <ul style="list-style-type: none"> <li>Why was the successor contract not in place prior to the expiration of the current contract?</li> </ul>	<p><b>Existing Allocation:</b> \$709,000 for 24 months.</p> <p><b>Modified / Extended Term:</b> 6 months from 8/31/11 to 2/29/12.</p> <p><b>Allocation:</b> No Change.</p>	<p>There are no compliance or performance issues reported with the 7 firms.</p>
10	<p><b>Hand Tools and Storage Boxes</b></p> <p><u>Reason:</u> Additional time and spending authority to allow various County departments to purchase hand tools and storage boxes.</p> <p><b>Questions / Comments</b></p> <ul style="list-style-type: none"> <li>What does MDT do to their tools?</li> <li>Why was the successor contract not in place prior to the expiration of the current contract?</li> </ul>	<p><b>Existing Allocation:</b> \$646,000 for 24 months.</p> <p><b>Modified / Extended Term:</b> 6 months from 8/31/11 to 2/29/12.</p> <p><b>Allocation:</b> \$75,000</p>	<p>There are no compliance or performance issues reported with the 6 firms.</p>

#### Item 1: Janitorial Supplies

##### **Questions and Comments**

- This item is requesting a modified expiration date to March 31, 2012. However, the item states that a long-term successor contract will be established by December 2011. Why is the modified expiration request beyond the December 2011 date?

According to the Department of Procurement Management (DPM), the requested time is beyond the estimated award date in the event there are any delays with the award of the successor contract and to allow time to transition to a new vendor (if necessary). Like the current contract, the successor contract will be nonexclusive and can be terminated for convenience at the discretion of the County.

- Why was the successor contract not in place prior to the expiration of the current contract?

#### Item 5: Construction Chemicals & Related Items

##### **Questions and Comments**

This modification is for an additional \$112,000 allocation for MDT. The current expiration is December 31, 2011; however, on p. 22 the reason for the change states "This modification will ensure continuity of services until a long-term successor contract is established by November 2011".

- What is the additional allocation for?
- What does that have to do with continuity of services?

If the current expiration date is December 2011, there is continuity of services because the successor contract would be in place prior to the expiration.

#### Administrative Authority

Several items are requesting Board approval for the time extension and / or additional spending authority because the administrative authority to extend the contract has been exhausted.

- How many times has administrative authority been utilized to extend the contracts under Item Nos. 1, 4, 7, 8, 9 and 10?

**Prepared by:** Elizabeth N. Owens