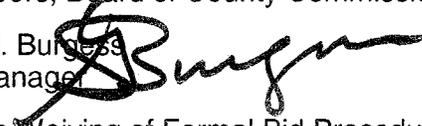


# Memorandum



**Date:** December 19, 2006

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**From:** George M. Burgess  
County Manager 

**Subject:** Resolution Waiving of Formal Bid Procedures

Agenda Item No. 8(O)(1)(D)

## RECOMMENDATION

It is recommended that the Board of County Commissioners waive competitive bidding procedures for the attached contracts to purchase goods and services pursuant to Section 2-8.1 of the County Code and Section 4.03(D) of the Home Rule Charter, in the best interest of Miami-Dade County.

## BACKGROUND

### **Section 1 SOLE SOURCES**

A sole source purchase is the procurement of a good or service under Administrative Order 3-38 for which there is no other vendor who can compete to provide the good or service, and an equal product or service is not available from any other supplier.

**Item 1.1: Bell Helicopter Textron, Inc.** is to establish an agreement for the Genuine Bell Parts Support Program to provide power-by-the-hour warranty and parts support for the fleet of Bell 412 helicopters operated by Miami-Dade Fire Rescue Department's Air Rescue Team.

### **Section 2 BID WAIVERS**

A bid waiver is a purchase of a good or service under Administrative Order 3-38 without formal competitive bidding when it is in the best interest of the County.

There are no items for this section.

### **Section 3 COMPETITIVE BID WAIVERS**

A bid waiver is a purchase of a good or service under Administrative Order 3-38 without formal competitive bidding when it is in the best interest of the County. A "competitive" bid waiver is when bids, quotes or proposals were sought from multiple vendors and competition was obtained "in fact," although not adhering to all of the standards for full and open competition as prescribed by Section 2-8.1 of the County Code and Administrative Order 3-38.

There are no items for this section.

#### **Section 4 EMERGENCY PURCHASES**

An emergency purchase under Administrative Order 3-38 is an unforeseen or unanticipated urgent and immediate need for goods or services where the protection of life, health, safety or welfare of the community, or the preservation of public properties, would not be possible using other purchasing methods described in Administrative Order 3-38.

**Item 4.1: Mailing Services** is to ratify an emergency award for the purchase of mailing services for various County departments pending the award of the replacement contract.

**Item 4.2: Printed Election Ballots** is to ratify an emergency award for the purchase of ballot printing services for the General Services Administration print shop.

**Item 4.3: Bell Helicopter Textron, Inc** is to ratify an emergency award for the purchase of power-by-the-hour warranty and original equipment manufacturer (OEM) parts support program for the fleet of Bell 412 helicopters operated by Miami-Dade Fire Rescue Department's Air Rescue Team. The replacement contract is on this agenda package as Item 1.1.

#### **Section 5 NONCOMPETITIVE CONTRACT MODIFICATIONS**

A noncompetitive contract modification is when the requested supplemental allocation for goods or services exceeds the scope of the original contract award and allocation representing, therefore, a waiver of the competitive bidding process under Administrative Order 3-38 for the additional goods and services.

**Item 5.1: Process Control System (S.C.A.D.A.)** is for additional spending authority and time for the continued maintenance and support of the Supervisory Control and Data Acquisition (SCADA) System for the Miami-Dade Water and Sewer Department (MDWASD).

**Item 5.2: Curbside Recycling Services Program** is for additional spending authority and time to maintain continuity of curbside recycling services for residents of Miami-Dade County and covered municipalities until a successor contract is awarded.

#### **Section 6 CONFIRMATION (UNAUTHORIZED) PURCHASES**

A confirmation purchase is the ratification action that authorizes a prior unauthorized purchase under Administrative Order 3-38.

**Item 6.1: Street Light Services** is to ratify the award of a confirmation purchase for maintenance and hurricane repairs to the County's roadway lighting system for the Public Works Department.

**Item 6.2: Stump Removal** is to ratify the award of a confirmation purchase for stump removal services associated with Hurricane Wilma for the Public Works Department.

**Section 7 REQUESTS FOR AUTHORITY TO EXERCISE "OPTIONS-TO-RENEW" (OTRs) UNDER EXISTING NON-COMPETITIVE CONTRACTS THAT WOULD BRING THE CUMULATIVE CONTRACT VALUE TO MORE THAN \$100,000**

The non-competitive contracts listed in this section require approval to exercise future "options-to-renew" (OTR) contained in the contract that would, if exercised, bring the cumulative value of the contract over \$100,000. Each of the contracts were awarded under the County Manager's delegated authority pursuant to Section 2-8.1(b) of the County Code and the Master Procurement Administrative Order, A.O. 3-38, and each contains an OTR provision that will, if exercised, bring the cumulative value of the contract above \$100,000. Per Administrative Order 3-38, County Manager's delegated authority for non-competitive procurements is capped at \$100,000.

There are no items for this section.

**Section 8 REQUESTS FOR RETROACTIVE APPROVAL FOR THE EXECUTION OF THE OPTION-TO-RENEW (OTR) PERIODS UNDER EXISTING NON-COMPETITIVE CONTRACTS AWARDED UNDER THE COUNTY MANAGER'S DELEGATED AUTHORITY**

The contracts listed in this section were awarded under the County Manager's delegated award authority pursuant to Section 2-8.1(b) of the County Code and the Master Procurement Administrative Order, A.O. 3-38. The contract contains option-to-renew periods. These contracts, when originally awarded, were valued below \$100,000. Subsequently, the option-to-renew periods were exercised which caused the cumulative value of the contract to exceed the \$100,000 threshold.

There are no items for this section.

  
Assistant County Manager



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** December 19, 2006

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Agenda Item No. 8(O)(1)(D)

**Please note any items checked.**

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(O)(1)(D)  
12-19-06

RESOLUTION NO.

RESOLUTION WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF GOODS AND SERVICES AND TO AUTHORIZE THE COUNTY MANAGER TO AWARD SAME, WITH AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER

**WHEREAS**, the County Manager recommends to this Board to waive formal bid procedures for the purchase of goods and services which cannot be purchased under normal bid procedures,

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board finds it is in the best interests of Miami-Dade County to waive formal bid procedures for the purchase of goods and services and to authorize the County Manager to award such contracts, with authority to exercise options-to-renew established thereunder pursuant to Section 4.03(D) of the Home Rule Charter and Section 2-8.1 of the County Code by a two-thirds (2/3s) vote of the Board members present.

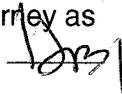
The foregoing resolution was offered by Commissioner who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Jose "Pepe" Diaz
Audrey M. Edmonson	Carlos A. Giménez
Sally A. Heyman	Barbara J. Jordan
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of December, 2006. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by the County Attorney as  
to form and legal sufficiency. 

Hugo Benitez

By: \_\_\_\_\_  
Deputy Clerk

It is recommended that the Board of County Commissioners waive the use of the formal bidding process for the items listed in this package pursuant to Section 4.03 (D) of the Home Rule Charter in the best interest of Miami-Dade County.

**SECTION #1**  
**SOLE SOURCES**

**Item 1.1**

**RECOMMENDATION**

It is recommended that the Board of County Commissioners (BCC) waive formal bid procedures and approve the award of a sole source contract to purchase power-by-the-hour warranty and original equipment manufacturer (OEM) parts support program for the fleet of Bell 412 helicopters operated by Miami-Dade Fire Rescue (MDFR) Department's Air Rescue Team.

**Contract No:** RFQR0700004

**Contract Title:** Bell Helicopter Textron, Inc.

**Description:** To establish a contract to purchase power-by-the-hour warranty and OEM parts support program for the fleet of Bell 412 helicopters operated by Miami-Dade Fire Rescue Department's Air Rescue Team.

**Term:** Five years (January 1, 2007 to December 31, 2011)

**Term:** Three, 5-year options-to-renew

**Contract Amount:** \$6,000,000 for the five year period

**Using/Managing Agencies  
and Funding Sources:**

<u>Department</u>	<u>Allocation</u>	<u>Funding Source</u>
Fire Rescue	\$6,000,000	Air Rescue Operating Budget

**Previous Contract**

**Allocation:** \$5,500,000 for a 5-year period

**Method of Award:** Not applicable

**Vendor:** Bell Helicopter Textron, Inc. (Non-local vendor)

**Contract Measure:** None

**Review Committee Date:** November 29, 2006

**Local Preference:** Not applicable

- Living Wage:** The Living Wage Ordinance does not apply.
- User Access Program (UAP):** The contract includes the User Access Program (UAP) provision. The 2% discount will be collected.
- Contract Managers:** Andrew Zawoyski, Department of Procurement Management  
Chief David Brooks, Miami-Dade Fire Rescue Department
- Contract Effective Date:** The effective date of this contract will be 10 days after its adoption by the Board and expiration of the Mayoral veto period.

### **JUSTIFICATION**

Authorization is requested to establish an agreement for the Genuine Bell Parts Support Program to provide the power-by-the-hour warranty and parts support for the fleet of Bell 412 helicopters operated by Miami-Dade Fire Rescue Department's Air Rescue Team.

Miami-Dade Fire Rescue has four Bell 412 helicopters that are used for air rescue operations. County staff performs routine maintenance on the helicopters. Overhaul for the airframe and engines are performed by Bell Helicopter (airframe) and Pratt and Whitney (engines). In January 2006, the Board approved the issuance of an agreement in the amount of \$5,000,000.00 to Bell Helicopter Textron, Inc. (Reso No. R67-06) to provide airframe overhaul services. In February 2006 the Board approved an agreement with Pratt & Whitney (Reso No. R210-06) for engine overhaul services.

Previously, the airframe and engine overhaul services were performed under one agreement with Bell Helicopter and Pratt and Whitney as their sub-contractor. Prior to the approval of separate agreements the Department of Procurement Management was in the process of presenting one renewal agreement to cover both services and an agreement had already been prepared and signed by Bell. Pratt and Whitney had issues with the Bell agreement. This resulted in the presentation of two separate agreements for Board approval.

Subsequent to Board approval, the original agreement with Bell (which included Pratt and Whitney as a sub-contractor) was routed and fully executed instead of the two Board approved agreements. The Pratt & Whitney agreement was signed in August 2006. The Bell agreement was not processed after Board approval. The Department of Procurement Management has introduced stricter quality assurance measures in the Director's Office and at the individual operations levels to ensure proper checks and balances are in place to avoid future such situations. Miami-Dade Fire Rescue has established a checks and balances system where confirmation of a properly executed contract and Blanket Purchase Orders (BPO) are cross-referenced and double checked for accuracy and completeness. MDFR personnel will compare the BPO with the contract, and check that the dollar amount stated on the BPO is correct.

In order to correct this inadvertent action, two contracts are submitted for approval: the new agreement with Bell Helicopter Textron, Inc. starting on January 1, 2007 for a five year period, with three (3) five (5) year options to renew, and an emergency purchase order to cover the period March 1, 2006 through December 31, 2006, covered under the Emergency Section below (Item 4.3).

Keeping the air rescue helicopter fleet in sound operational form is a matter of public safety. The ongoing maintenance of these helicopters is critical to MDFR's Air Rescue operations.

The allocation amount is a not to exceed amount, since the cost is determined by the number of hours of flight time for all aircraft over the five year period of the initial agreement.

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**SECTION #2**  
**BID WAIVERS**

There are no items for this section.

**SECTION #3**  
**COMPETITIVE BID WAIVERS**

There are no items for this section.

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**SECTION #4**  
**EMERGENCY PURCHASES**

**Item 4.1**

**RECOMMENDATION**

It is recommended that the Board of County Commissioners (BCC) waive formal bid procedures and ratify an emergency award for the purchase of mailing services for various County departments.

**Contract No:** E8149-0/06

**Contract Title:** Mailing Services

**Description:** To establish an emergency contract for the purchase of mailing services for various County departments.

**Term:** October 1, 2006 to November 30, 2006

**Contract Amount:** \$360,335 for the two-month term

**Using/Managing Agencies  
and Funding Sources:**

<u>Department</u>	<u>Allocation</u>	<u>Funding Source</u>
Aviation	\$ 7,000	Revenue
Clerk of Courts	\$140,000	General
Consumer Services	\$ 3,000	General
Elections	\$ 15,335	General
Finance	\$ 10,000	General
GSA	\$ 90,000	General
Library	\$ 20,000	Library Operating
Property Appraisal	\$ 30,000	General
Water & Sewer	\$ 45,000	Operating Revenue
Total:	\$360,335	

**Previous Contract  
Allocation:** \$3,228,423 for a three year and nine-month term

**Method of Award:** Emergency award to low bidders on Solicitation No. 8058-3/11

**Vendors:** **All vendors are local vendors:**  
Arrowmail Presort Co. Inc.  
Postal Center International

**Contract Measure:** None

**Review Committee Date:** October 4, 2006; Item #6-01

**Local Preference:** Not applicable

**Living Wage:** The Living Wage Ordinance applies.

**User Access Program (UAP):** This contract includes the User Access Program (UAP) provision. The 2% discount will be collected.

**Contract Managers:** Herman Ramsey, Department of Procurement Management

This contract includes allocations for nine departments. Each department has designated a Contract Manager.

**Contract Effective Date:** October 1, 2006 subject to retroactive approval by the Board

**JUSTIFICATION**

Seeking ratification of an emergency contract awarded on October 1, 2006 for the purchase of mailing services for various Miami-Dade County departments.

A solicitation to establish a replacement contract for mailing services was advertised and opened on June 7, 2006. Arrowmail Presort Co. Inc., one of the incumbent vendors, was also recommended for award on the replacement contract. This vendor was in the process of resolving Living Wage compliance issues resulting from a Notice of Violation (NOV) issued by the Department of Business Development (DBD) on November 4, 2005. This NOV required the vendor to submit certified payrolls, health benefit information and a list of subcontractors to support compliance with the Living Wage requirements.

On April 24, 2006, an appeals hearing was held and Arrowmail was given an additional two weeks to provide the payroll and health benefit documentation that was requested in the November 4, 2005 NOV. The Department of Procurement Management received verification from DBD of the resolution of all compliance issues on September 27, 2006. Since award of the replacement contract must be approved by the BCC, there was not sufficient time to award the contract before the expiration of the current contract on September 30, 2006.

This contract serves as a bridge between existing Contract No. 5913-0/04, which expired on September 30, 2006 and replacement Solicitation No. 8058-3/10, which will be presented to the BCC for award. The Clerk of Courts requested that an interim contract be awarded to ensure the continuity of mailing services. The Clerk's Office is the primary user department and provides critical mail distribution services as mandated by Federal and Florida statutes. These include criminal and civil process notifications, public records provision, traffic and parking citation notices, jury service notices and other critical services that have a direct impact on the health, safety and welfare of the County's citizens. Without an existing mail services contract in place, the department's ability to continue timely distribution of mail would be severely impacted and result in operational disruption.

The issuance of this emergency contract was certified by the directors of the various user departments, as required by *Administrative Order 3-38*.

**Item 4.2**

**RECOMMENDATION**

It is recommended that the Board of County Commissioners (BCC) waive formal bid procedures and ratify an emergency award for the purchase of ballot printing services for the General Services Administration (GSA) print shop.

**Contract No:** E8150-0/06

**Contract Title:** Printed Election Ballots

**Description:** To establish an emergency contract for the purchase of ballot printing services for the November 7, 2006 Miami-Dade County election.

**Term:** October 11, 2006 to December 15, 2006

**Contract Amount:** \$400,000

**Using/Managing Agencies and Funding Sources:**

<u>Department</u>	<u>Allocation</u>	<u>Funding Source</u>
GSA	\$400,000	General

**Previous Contract Allocation:** Not applicable

**Method of Award:** Emergency award to low bidder on Contract No. 8133-4/11

**Vendors:** Commercial Printers Inc. (Non-local vendor)

**Contract Measure:** None

**Review Committee Date:** September 20, 2006; Item #6-01

**Local Preference:** Not applicable

**Living Wage:** The Living Wage Ordinance does not apply.

**User Access Program (UAP):** This contract includes the User Access Program (UAP) provision. The 2% discount will be collected.

**Contract Managers:** Gloria Thornton, Department of Procurement Management  
Steve Schmuger, General Services Administration

**Contract Effective Date:** October 16, 2006 subject to retroactive approval by the Board.

## JUSTIFICATION

Seeking ratification of an emergency contract awarded by the General Services Administration (GSA) on October 11, 2006 for the purchase of ballot printing services for the November 7, 2006 Miami-Dade County election.

The GSA print shop produced paper ballots for the November 7<sup>th</sup> General Election. Elections supplied the ballots to the print shop on September 29, 2006 with a deadline for delivery of all absentee ballots by October 12, 2006. In order to meet the October 12<sup>th</sup> deadline, GSA outsourced approximately 750,000 ballots with 110 styles.

The Department of Procurement Management prepared Solicitation No. 8133-4/11 for election ballot printing. The bid opened on September 27, 2006 but the award process was not completed in time for the contract to be utilized for this purchase. This emergency contract was awarded to the low bidder on Contract No. 8133-4/11.

The issuance of this emergency contract was certified by the director of the Miami-Dade General Services Administration Department, as required by *Administrative Order 3-38*.

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**Item 4.3**

**RECOMMENDATION**

It is recommended that the Board of County Commissioners (BCC) waive formal bid procedures and ratify an emergency award for the purchase of Power-By-The-Hour warranty and original equipment manufacturer (OEM) parts Support Program for the fleet of Bell 412 helicopters operated by Miami-Dade Fire Rescue (MDFR) Department's Air Rescue Team.

**Contract No:** RFQR0700004

**Contract Title:** **Bell Helicopter Textron, Inc.**

**Description:** To establish an emergency contract for the Power-By-The-Hour warranty and OEM parts Support Program for the fleet of Bell 412 helicopters operated by Miami-Dade Fire Rescue Department's Air Rescue Team

**Term:** Ten months (March 1, 2006 to December 31, 2006)

**Contract Amount:** \$1,000,000

**Using/Managing Agencies and Funding Sources:**

<u>Department</u>	<u>Allocation</u>	<u>Funding Source</u>
Fire Rescue	\$1,000,000	Air Rescue Operating Budget

**Previous Contract Allocation:** Not applicable

**Method of Award:** Not applicable

**Vendor:** Bell Helicopter (Non-local vendor)

**Contract Measure:** None

**Review Committee Date:** November 29, 2006

**Local Preference:** Not applicable

**Living Wage:** The Living Wage Ordinance does not apply.

**User Access Program (UAP):** This contract includes the User Access Program (UAP) provision. The 2% discount will be collected.

**Contract Managers:** Andrew Zawoyski, Department of Procurement Management  
Chief David Brooks, Miami-Dade Fire Rescue Department

**Contract Effective Date:** March 1, 2006 subject to retroactive approval by the Board.

## **JUSTIFICATION**

Seeking ratification of an emergency agreement awarded by MDFR on March 1, 2006 for the Genuine Bell Parts Support Program to provide the power-by-the-hour warranty and parts support for the fleet of Bell 412 helicopters operated by Miami-Dade Fire Rescue Department's Air Rescue Team.

Miami-Dade Fire Rescue has four Bell 412 helicopters used for air rescue operations. County staff performs routine maintenance on the helicopters. Overhaul for the airframe and engines are performed by Bell Helicopter (airframe) and Pratt and Whitney (engines). In January 2006, the Board approved the issuance of an agreement in the amount of \$5,000,000.00 to Bell Helicopter Textron, Inc. (Reso No. R67-06) to provide airframe overhaul services. In February 2006 the Board approved an agreement with Pratt & Whitney (Reso No. R210-06) for engine overhaul services.

Previously, the airframe and engine overhaul services were performed under one agreement with Bell Helicopter and Pratt and Whitney as their sub-contractor. Prior to the approval of separate agreements, the Department of Procurement Management was in the process of presenting one renewal agreement to cover both services and an agreement had already been prepared and signed by Bell. Pratt and Whitney had issues with the Bell agreement. This resulted in the presentation of two separate agreements for Board approval.

Subsequent to Board approval, the original agreement with Bell (which included Pratt and Whitney as a sub-contractor) was routed and fully executed instead of the two Board approved agreements. The Pratt & Whitney agreement was signed in August 2006. The Bell agreement was not processed after Board approval. The Department of Procurement Management has introduced stricter quality assurance measures in the Director's Office and at the individual operations levels to ensure proper checks and balances are in place to avoid future such situations. Miami-Dade Fire Rescue has established a checks and balances system where confirmation of a properly executed contract and Blanket Purchase Orders (BPO) are cross-referenced and double checked for accuracy and completeness. MDFR personnel will compare the BPO with the contract, and check that the dollar amount stated on the BPO is correct.

In order to correct this inadvertent action, two contracts are submitted for approval: this retroactive emergency award to cover the period March 1, 2006 through December 31, 2006; and a new agreement with Bell Helicopter Textron, Inc. starting on January 1, 2007 for a five year period, with three (3) five (5) year options to renew (which is included in the "Sole Source" section above.

Keeping the air rescue helicopter fleet in sound operational form is considered a matter of public safety. The ongoing maintenance of these helicopters is critical to MDFR's Air Rescue operations.

The allocation amount is a "not to exceed" amount, as it is based on an estimate of the number of hours of aircraft flight times for November and December 2006.

The issuance of this emergency contract was certified by the director of the Miami-Dade Fire Rescue Department, as required by *Administrative Order 3-38*

**SECTION #5**  
**NON-COMPETITIVE CONTRACT MODIFICATIONS**

**Item 5.1**

**RECOMMENDATION**

It is recommended that the Board of County Commissioners (Board) approve a modification to this contract for the continued maintenance and support of the Supervisory Control and Data Acquisition (SCADA) System for the Miami-Dade Water and Sewer Department (WASD). The SCADA system monitors and controls the pressure levels for all water and wastewater pumping, located throughout a complex network of pipes and treatment facilities in Miami-Dade County.

**Contract No:** SS6591-2/04-2

**Contract Title:** **Process Control System (S.C.A.D.A)**

**Description:** This contract provides WASD with the required support services to operate and maintain the Supervisory Control and Data Acquisition (S.C.A.D.A) System. Bristol Babcock Inc. is the sole manufacturer and designer of the SCADA System. This proprietary software was designed and installed with the required hardware, software and firmware that enable WASD to monitor and control the pressure levels for all water and wastewater pumping, located throughout a complex network of pipes and treatment facilities in Miami-Dade County from a centralized location.

**Type of Change:** Additional spending authority and time

**Existing Allocation:** \$7,139,658

**Increase by:** \$ 312,500

**Modified Allocation:** \$7,452,158

**Using/Managing Agencies and Funding Sources:**

<u>Department</u>	<u>Existing Allocation</u>	<u>Additional Allocation</u>	<u>Modified Allocation</u>	<u>Funding Source</u>
Water and Sewer	\$7,959,658	\$312,500	\$7,272,158	Operating Revenue
DERM	<u>\$ 180,000</u>	<u>\$ 0</u>	<u>\$ 180,000</u>	Proprietary
Total:	\$7,139,158	\$312,500	\$7,452,158	

**Current Expiration:** January 31, 2007

**Modified Expiration:** April 31, 2007

**Vendor:** Bristol Babcock Inc. (Non-local vendor)

**Contract Measure:** None

**Local Preference:** Not applicable

**Living Wage:** The Living Wage Ordinance does not apply.

**User Access Program (UAP):** This contract does not include the User Access Program (UAP) provision as the renewal was processed in August 2003, prior to the implementation of the program.

**Contract Managers:** Leida Altman Carrillo, Department of Procurement Management  
Gregory Hicks, Miami-Dade Water and Sewer Department

**Contract Effective Date:** The effective date of this contract will be 10 days after its adoption by the Board and expiration of the Mayoral veto period.

**REASON OF CHANGE**

Authorization is requested for additional spending authority and time to provide the Miami-Dade Water and Sewer Department (WASD) with the required maintenance services for the Supervisory Control and Data Acquisition (SCADA) System. This contract must remain in active status with adequate funding to support the current system, and allow for future system expansion. The SCADA system is critical to the operations of WASD as it provides a centralized master location that monitors and controls the pressure levels for all water and wastewater pumping, throughout Miami-Dade County. This System provides WASD with the ability to track pressure levels, maintenance, and repair of water lines. Due to new construction developments and the acquisition of existing pump stations from other entities work is currently being performed to expand the existing SCADA system to additional locations.

The additional time and funding allocation requested will provide staff with the appropriate time needed to finalize a replacement contract for maintenance and support services. It is necessary to extend the current contract for three months to assure WASD contract continuity of service while the successor contract is finalized and presented for Board approval. Unallocated funding that remains available on this contract has been committed to purchase additional Remote Terminal Units (RTU's), special projects, and continued operations and maintenance for expansion of the System.

WASD is requesting the pro-rated monthly allocation of \$104,166 for an additional three months of coverage.

**Item 5.2**

**RECOMMENDATION**

It is recommended that the Board of County Commissioners (BCC) approve a modification to this contract to authorize the County Manager to execute the Second Amendment to the Second Amended and Restated Agreement between BFI Waste Systems of North America, Inc. d/b/a Allied Waste Services of Miami and Miami-Dade County for the provision of curbside collection service of recyclable materials.

**Contract No:** Second Amendment To Second Amended and Restated Agreement for Curbside Recycling Services Program

**Contract Title:** **Curbside Recycling Services Program**

**Description:** To maintain continuity of curbside recycling services for residents of Miami-Dade County and covered municipalities until a successor contract is awarded.

**Type of Change:** Additional spending authority and time

**Previous Total Contract Amount:** \$119,575,733

**Increase by:** \$ 11,000,000

**Modified Total Contractual Value:** \$130,575,733

**Using/Managing Agencies and Funding Sources:** Solid Waste Management

**Funding Sources:** Operating Revenue

**Current Expiration:** December 31, 2006

**Modified Expiration:** December 31, 2007

**Vendor:** BFI Waste Systems of North America, Inc. d/b/a Allied Waste Services of Miami

**Contract Measure:** None

**Review Committee Date:** November 29, 2006

**Local Preference:** Not applicable

**Living Wage:** The Living Wage Ordinance applies.

**User Access Program (UAP):** The contract includes the User Access Program (UAP) provision. The 2% discount will be collected.

**Contract Managers:** Andrew Zawoyski, Department of Procurement Management  
Paul Mauriello, Department of Solid Waste Management

**Contract Effective Date:** The effective date of this contract will be 10 days after its adoption by the Board and expiration of the Mayoral veto period.

**REASON OF CHANGE**

The County's current agreement is due to expire on December 31, 2006. The County is in the process of soliciting proposals through RFP 545 for a new contractual arrangement, and in order to maintain the current recycling program, anticipates that a one-year agreement extension is necessary. The one-year period would allow for the completion of the procurement process, and time for the selected contractor to mobilize and begin providing services. During the Curbside Recycling Workshop held on November 14, staff advised the Board that the extension would be presented to the Internal Management and Fiscal Responsibility Committee and full Board in December.

Obtaining curbside recycling services from other than the incumbent contractor prior to initiation of service by the successor contractor is not feasible due to the high up-front capital costs associated with implementing a curbside recycling program and the short time frame involved. If this item is not approved, the only alternative to this second extension of the BFI contract is a temporary suspension of the existing recycling program until the successor contract is awarded and the new program is initiated.

BFI has recently introduced five new trucks to their fleet, and the number of complaints about pick-ups has decreased significantly. Also, as a further commitment to the County, the Contractor has created a multiple incentive program to try and keep its good employees. Without a long term agreement the Contractor's employees are looking elsewhere for some job security. The Contractor has included a "Stay" Bonus and has advised employees that in the event the contract is terminated without any renewal, the Contractor will provide transfers to other available positions throughout their company; or they will provide outplacement assistance. Finally, in the instance where there is a new successor provider (as a result of RFP 545), they will work with the new provider to obtain employment for its employees.

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**SECTION #6**  
**CONFIRMATION (UNAUTHORIZED) PURCHASES**

**Item 6.1**

**RECOMMENDATION**

It is recommended that the Board of County Commissioners (BCC) ratify the award of a confirmation purchase for maintenance and repairs to the County's roadway lighting system associated with Hurricane Wilma for the Public Works Department.

**Contract No:** CP-PW(RQPW0600166)

**Contract Title:** **Street Light Services**

**Description:** To repair street lights after Hurricane Wilma.

**Term:** February 1, 2006 through June 9, 2006

**Contract Amount:** \$165,851.25

**Vendor:** Prime Electrical Contractors, Inc. (Local vendor)

**Contract Measure:** None

**Review Committee Date:** None

**Living Wage:** The Living Wage Ordinance does not apply.

**Contract Managers:** Lourdes Betancourt, Department of Procurement Management  
Orky Rodriguez, Public Works Department

**JUSTIFICATION**

Seeking ratification for the services rendered by Prime Electrical Contractors, Inc. from February 1, 2006 through June 9, 2006.

The Public Works Department exceeded the amount established for Hurricane Wilma emergency purchase orders. The Department was responsible for the emergency repair of the County's roadway lighting system that was severely impacted by Hurricane Wilma. The intent of the Public Works was to use contracts that were being negotiated with Florida Department of Transportation (FDOT) to cover repairs that remained to be completed. Public Works was subsequently informed by FDOT that the contracts would not be available. If not immediately addressed by Public Works, a large portion of the roadway lighting system would have resulted in an unsafe condition. Because of the risk to public safety, the department performed the emergency work.

**Item 6.2**

**RECOMMENDATION**

It is recommended that the Board of County Commissioners ratify the award of a confirmation purchase for stump removal services associated with Hurricane Wilma for the Public Works Department.

**Contract No:** CP-PW(RQPW0600163)

**Contract Title:** **Stump Removal**

**Description:** Provide stump removal service as a result of Hurricane Wilma.

**Term:** June 1, 2006 through August 8, 2006

**Contract Amount:** \$173,869.60

**Vendor:** Trompex Corporation (Local vendor)

**Contract Measure:** None

**Review Committee Date:** None

**Living Wage:** The Living Wage Ordinance does not apply.

**Contract Managers:** Lourdes Betancourt, Department of Procurement Management  
Orky Rodriguez, Public Works

**JUSTIFICATION**

Seeking ratification for the services rendered by Trompex Corporation on August 10, 2006. The Public Works Department exceeded the amount established for Hurricane Wilma emergency purchase orders. The Department was responsible for stump removal immediately following the hurricane. The invoice was processed under a contract where allocations were exhausted due to the significant increase in stump removal from staff's original estimate. Additional requests for stump removal services were received from the general public and the County's 311 Answer Center.

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**SECTION #7**  
**REQUESTS FOR AUTHORITY TO EXERCISE "OPTIONS-TO-RENEW" (OTR's)**  
**UNDER EXISTING NON-COMPETITIVE CONTRACTS THAT WOULD BRING THE**  
**CUMULATIVE CONTRACT VALUE TO MORE THAN \$100,000**

There are no items for this section.

**SECTION #8**  
**REQUESTS FOR RETROACTIVE APPROVAL FOR THE EXECUTION OF THE OPTION-TO-**  
**RENEW (OTR) PERIODS UNDER EXISTING NON-COMPETITIVE CONTRACTS AWARDED**  
**UNDER THE MANAGER'S DELEGATED AUTHORITY**

There are no items for this section.

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