

# Memorandum



**Date:** February 6, 2007

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

**To:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

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

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of George M. Burgess.

**Subject:** Resolution Waiving Formal Bid Procedures

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## **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.

There are no items for this section.

### **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.

**Item 2.1: Automated Case Management Systems** is the approval to award a bid waiver contract to Automated Case Management Systems, Inc. for the software licensing, support and maintenance services required for the operation of the Title I Services Delivery Information System. This system is utilized by the Ryan White Title I program, managed by the Office of Strategic Business Management.

### **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: Mobile Mesh Network** is to ratify an emergency award for the purchase of a Wireless Mobile Mesh Network for the Miami-Dade Police Department (MDPD). This system will provide MDPD with the capability of video surveillance anywhere within the County network to be able to react and respond to incidents.

**Item 4.2: Uniforms and Accessories** is to ratify an emergency award for the purchase of uniforms and accessories for the Miami-Dade Transit (MDT) Department that may be funded with proceeds from the Charter County Transit System Sales Surtax. As a result of the People's Transportation Plan (PTP), MDT has extended miles and service hours, and developed new routes due to the purchase of more buses to better service the needs of the community and attract new riders. This has resulted in the hiring of additional drivers and staff that require uniforms. The replacement contract for this solicitation is under separate cover as a stand-alone item.

**Item 4.3: Baggage Systems Maintenance Service** is to ratify an emergency award for the purchase of baggage system maintenance services for the Miami-Dade Aviation Department (MDAD).

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

A noncompetitive contract modification is when the requested supplemental allocation for goods or services significantly 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: Security Guard Services** is for additional spending authority and time for security guard services for the General Services Administration (GSA). This modification will extend the contract for six months with prorated funding, with the option to extend for one (1) additional six month period with prorated funding. The replacement contract for these services is under separate cover as a stand-alone item.

#### **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: Information Technology Training** is to ratify the award of a confirmation purchase for information technology training services for the Enterprise Technology Services 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 Bruno A. Barreiro  
and Members, Board of County Commissioners

**DATE:** February 6, 2007

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

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

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)(B)  
02-06-07

RESOLUTION NO. \_\_\_\_\_

RESOLUTION WAIVING FORMAL BID PROCEDURES FOR THE PURCHASE OF GOODS AND SERVICES AND AUTHORIZING 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of February, 2007. 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

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

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

Hugo Benitez

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**

There are no items for this section.

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

**Item 2.1**

**RECOMMENDATION**

It is recommended that the Board of County Commissioners waive formal bid procedures and approve the award of a bid waiver contract to Automated Case Management Systems, Inc. for the software licensing, support and maintenance services required for the operation of the Title I Services Delivery Information System. This system is utilized by the Ryan White Title I program, managed by the Office of Strategic Business Management.

**Contract No:** BW8166-5/13

**Contract Title:** **Automated Case Management Systems**

**Description:** This contract will provide the Office of Strategic Business Management (OSBM) with on-going software licensing, support, and maintenance services for the existing Title I Services Delivery Information System (SDIS). The SDIS is a centralized information system that facilitates coordination of services and communication across Title I funded providers. The SDIS application is, and will, remain compliant with the Health Insurance Portability and Accountability Act (HIPAA).

**Term:** One year, with five, 1-year options-to-renew

**Contract Amount:** \$570,000 for the initial term

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

<u>Department</u>	<u>Allocation</u>	<u>Funding Source</u>
OSBM	\$570,000	DHHS/HRSA Ryan White CARE Act

**Previous Contract**

**Allocation:** \$570,000 – one year

**Method of Award:** Bid Waiver

<b>Vendor:</b>	<b>Address</b>	<b>Principal</b>
• Automated Case Management Systems, Inc. (Non-local vendor)	4130 Cahuenga Blvd. Suite 115 North Hollywood, CA 91602	E. Andrae Corrigan

**Contract Measure:** None

**Review Committee Date:** December 13, 2006; Item #5-02

**Local Preference:** Not applicable

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

**User Access Program (UAP):** The contract does not include the User Access Program (UAP) provision. The federal funds from the Title I HIV Emergency Relief Grant under the Ryan White Comprehensive AIDS Resources Emergency (C.A.R.E.) Act shall be utilized to pay for services under this agreement.

**Contract Managers:** Melissa Adames, Department of Procurement Management

Theresa Fiaño, Office of Strategic Business 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.

### **JUSTIFICATION**

The Ryan White Title I Program was established in Miami-Dade County in 1991 to address the need for HIV/AIDS related services among the economically disadvantaged and underserved residents. The Program is funded by the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA), under Title I of the Ryan White Comprehensive AIDS Resources Emergency (C.A.R.E.) Act.

The Ryan White CARE Act provides lifesaving and life enhancing care, treatment, and support services to low-income, uninsured, and under-insured people living with HIV/AIDS. It provides a last resort "safety net" for Americans who have no other means of accessing these services.

The Miami-Dade County Ryan White Title I Program is administered by OSBM. OSBM is responsible for distributing these grant funds to HIV/AIDS service organizations, community-based clinics, hospitals and public institutions located throughout the county. Title I services include outpatient medical care, prescription drugs, dental care, substance abuse treatment, mental health counseling, case management, prescription drug co-payments, home health care, legal support, food and transportation services. In excess of 11,000 people are served through the Title I Program on an annual basis. The County's Ryan White Title I Program currently offers eligible persons that are positive for either the Human Immunodeficiency Virus (HIV) or Acquired Immunodeficiency Syndrome (AIDS) with access to a network of health and support services at more than 130 individual service programs at nearly 50 different service sites.

Approval of this contract will provide Case Management Systems to ensure continuity of care for persons living with the HIV/AIDS virus in Miami-Dade County. The Title I Service Delivery Information System (SDIS) maintains coordination across funded service providers ensuring the effective administration of federal grant dollars, and compliance with the data collection and federally-mandated reporting requirements of the Ryan White Title I Program. Additionally, the Coordinated Case Management Standards of Service are applicable to all Ryan White Title I case management service providers. These standards are an essential component of the Ryan White Title I Quality Management Program and form the basis for on-going monitoring and evaluation of Title I case management agencies. Areas of evaluation include staff qualifications, training, access to care, eligibility and financial assessment, initial client assessment and plan of care, referrals and follow-up, updates to client records, standards for documentation, quality assurance and performance improvement, compliance with requirements related to the SDIS, permanency planning, case closure and case transfers, and program operation requirements. These functions are maintained and reported via the SDIS system.

**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 waive formal bid procedures and ratify an emergency award for the purchase of a Wireless Mobile Mesh Network for the Miami-Dade Police Department (MDPD).

**Contract No:** E8167-0/07

**Contract Title:** **Mobile Mesh Network (MOTOMESH)**

**Description:** To establish an emergency contract to provide MDPD with the required hardware, software, and services to implement a new 4.9 GHz broadband wireless network for tactical and incident scene operations across Miami-Dade County. This MOTOMESH system will provide MDPD with the capability of video surveillance anywhere within the County network to be able to react and respond to incidents. The MOTOMESH System uses technology that links information from operational sites and a local command center. This allows for information sharing, inter-agency coordination, and compatibility.

**Term:** November 16, 2006 to December 31, 2006

**Contract Amount:** \$554,416 for the contract term

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

<u>Department</u>	<u>Allocation</u>	<u>Funding Source</u>
Police	\$554,416	FDLE Grant Funding

**Previous Contract**

**Allocation:** Not applicable

**Method of Award:** Not applicable

**Vendors:**

	<b>Address</b>	<b>Principal</b>
• Motorola Inc. (Non-local vendor)	789 International Parkway Sunrise, FL 33325	Gary L. Tooker

**Contract Measure:** None

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

**Local Preference:** Not applicable

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

**User Access Program (UAP):** The contract does not include the User Access Program (UAP) provision due to Federal grant funding.

**Contract Managers:** Melissa Adames, Department of Procurement Management

**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 a Wireless Mobile Mesh Network for the Miami-Dade Police Department (MDPD). MDPD is requesting an emergency purchase for high priority security equipment as part of the Department's Homeland Security initiative.

The Florida Department of Law Enforcement (FDLE), through the US Department of Homeland Security (DHS), granted the Miami-Dade Police Department (MDPD) a \$600,000 Buffer Zone Protection Program (BZPP) Grant that expired December 31, 2006. The Grant award results from completion of a vulnerability assessment by MDPD at twelve critical infrastructure sites throughout the county. Federal funds will be used to purchase equipment that will be deployed at these sites.

MDPD identified the Motorola MOTOMESH System and its related components as the most appropriate equipment to serve the departmental requirements. The MOTOMESH System is a specialized mobile network surveillance system packaged to include basic hardware, software and services needed for implementation and support. This contract will allow for the implementation of a new 4.9 GHz broadband wireless network. The mobile network surveillance system and related components will strengthen local anti-terrorism efforts by linking information from identified sites with the local MDPD command center, allowing for information sharing, inter-agency coordination, and compatibility.

Research conducted by staff identified a competitively bid Request for Proposals (RFP) issued by the Knoxville Utilities Board (KUB). This RFP was solicited under full and open competition. The executed contract between the Knoxville Utilities Board and Motorola Inc. did not expressly grant other jurisdictions permission to access the agreement. The County was granted permission to utilize the pricing terms of the competitive agreement established with Motorola. This emergency contract incorporates the competitive pricing sourced through the Knoxville Utilities Board for the purchase of the Wireless Mobile Mesh System.

The issuance of this emergency contract was certified by the director of the Miami-Dade Police Department, as required by *Administrative Order 3-38*, and with the concurrence of the Director of the Department of Procurement Management in consultation with the County Attorney's Office.

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**Item 4.2**

**RECOMMENDATION**

It is recommended that the Board of County Commissioners waive formal bid procedures and ratify an emergency award for the purchase of uniforms and accessories for the Miami-Dade Transit (MDT) Department. The Surtax will be charged for the cost of any additional services provided through this contract that are attributable to the implementation of the People's Transportation Plan (PTP). The total cost of the contract will be distributed through the department's allocation model. As a result of the PTP, MDT has extended miles and service hours, and developed new routes due to the purchase of more buses to better service the needs of the community and attract new riders. This has resulted in the hiring of additional drivers and staff that require uniforms.

**Contract No:** E8177-0/07

**Contract Title:** **Uniforms and Accessories**

**Description:** To establish an emergency contract for the purchase of uniforms and accessories for MDT.

**Term:** December 1, 2006 through March 31, 2007

**Contract Amount:** \$84,000

<u>Department</u>	<u>Using PTP</u>	<u>Allocation</u>	<u>Funding Source</u>
Transit		\$ 84,000	Operating Revenue and PTP

**Previous Contract Allocation:** \$617,775 for a one-year period

**Method of Award:** Emergency award to the awarded vendor on the previous contact

<b>Vendors:</b>	<b>Address</b>	<b>Principal</b>
• Superior Uniform Group Inc. (Local vendor)	7230 NW 46 Street Miami, FL 33166-6423	Michael Benstock

**Contract Measure:** None

**Review Committee Date:** December 6, 2006; Item #2-05

**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:** Abelin Rodriguez, Department of Procurement Management  
Tony Arroyo, Miami-Dade Transit Department

**Contract Effective Date:** December 1, 2006 subject to retroactive approval by the Board and the Citizen's Independent Transportation Trust.

## JUSTIFICATION

Seeking ratification of an emergency contract awarded by the Miami-Dade Transit Department (MDT) for the purchase of uniforms and accessories until the replacement contract is awarded.

The previous contract for these uniforms and accessories expired on November 30, 2006. A replacement solicitation was advertised on April 18, 2006, opened on May 10, 2006, was evaluated, samples were reviewed by MDT staff, and a recommendation for award posted on October 6, 2006. The award recommendation was protested. A protest hearing was held on Tuesday, November 14, 2006. The Hearing Officer's recommendation and findings supported the County Manager's recommendation. The protest process delayed the award of the replacement solicitation. As a result, this interim emergency contract was issued to cover the gap between the expiration of the existing contract and the award of the successor contract.

The award of the replacement contract is not included in the *Award of Competitive Contracts* package because award recommendations that are protested are not presented to committee for review. In accordance with *Protest Procedures, Administrative Order 3-21*, once a recommended award of a County contract is protested the award together with the hearing examiner's findings and recommendations is presented to the Board for approval. Thus, the award of this contract is being presented under a separate, stand-alone agenda item that will be presented to the Board.

Proceeds from the Charter County Transit System Sales Surtax levied pursuant to Section 29.121 of the Code of Miami Dade County may be used to fund a part of the costs of this contract for the Miami-Dade Transit Department. Consequently, Board of County Commissioners' and Citizens' Independent Transportation Trust approvals are required prior to contract execution.

The issuance of this emergency contract was certified by the director of the Miami-Dade Transit 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 baggage system maintenance services for the Miami-Dade Aviation Department (MDAD).

**Contract No:** E8178-1/07  
**Contract Title:** **Baggage Systems Maintenance Service**  
**Description:** To establish an emergency contract for the purchase of baggage systems maintenance services for MDAD.  
**Term:** October 26, 2006 to January 25, 2007 with one, 3-month option-to-renew  
**Contract Amount:** \$436,150 for the initial three-month term

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

<u>Department</u>	<u>Allocation</u>	<u>Funding Source</u>
Aviation	\$436,150	Revenue

**Previous Contract**

**Allocation:** Not applicable

**Method of Award:** Not applicable

<b>Vendor:</b>	<b>Address</b>	<b>Principal</b>
• Aircraft Service International Inc. (Local vendor)	201 Orange Avenue Suite 1205 Orlando, FL 32801	Keith P. Ryan

**Contract Measure:** None

**Review Committee Date:** December 6, 2006; Item #2-04

**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:** Pamela Jenkin-Jones, Department of Procurement Management

Neivy Garcia, Miami-Dade Aviation Department

**Contract Effective Date:** October 26, 2006 subject to retroactive approval by the Board of County Commissioners (Board).

**JUSTIFICATION**

Seeking ratification of an emergency contract awarded by the Miami-Dade Aviation Department (MDAD) on October 26, 2006 for the purchase of baggage systems maintenance services. MDAD is responsible for maintaining seven miles of baggage handling equipment which serves airlines and tenants. The MDAD Conveyor Shop is responsible for providing preventative

maintenance and responding to emergency calls.

Due to recent events involving an investigation initiated by MDAD Management, the Conveyor Shop staff was relieved of duty pending the outcome of the investigation. This created an operational emergency requiring the department to provide an alternate means of support to maintain the baggage handling system.

Aircraft Service International Group Inc. (ASIG) is an awarded vendor on a current MDAD contract that provides maintenance to the baggage systems at Concourse B. This vendor has an office on airport property, is thoroughly familiar with Miami International Airport (MIA) conveyor systems, and has employees who have MDAD issued customs badges. ASIG had staffing capabilities to immediately mobilize to provide the necessary services.

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

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**Item 5.1**

**RECOMMENDATION**

It is recommended that the Board of County Commissioners approve a modification to this contract for security guard services for the General Services Administration (GSA). This modification will extend the contract for six months (with one option to renew) with prorated funding to accommodate an expanded number of County sites and service hours, as well as Living Wage and Cost of Living Adjustments.

**Contract No:** EM7797-2/07-2

**Contract Title:** Security Guard and Screening Services

**Description:** This contract is to provide security guard and screening services in GSA managed facilities.

**Initial Contract Term and Estimated Usage:** One year with two, 6-months options-to-renew

<u>Allocation</u>	<u>Term</u>	<u>Date</u>
\$28,423,988	1 year	April 1, 2005 - March 31, 2006

**Option-to-Renew and Estimated Usage:**

First Option-to-Renew:	\$14,211,944	6 months	April 1, 2006 - September 30, 2006
Second Option-to-Renew:	\$14,211,944	6 months	October 1, 2006 - March 31, 2007
	\$56,847,976	2 Years	

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

**Existing Allocation:** \$14,211,994

**Increase by:** \$22,211,994

**Modified Allocation:** \$36,423,988

**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>
GSA	\$14,211,994	\$22,211,994	\$36,423,988	Operating Revenue Proprietary

**Current Expiration:** March 31, 2007

**Modified Expiration:** September 30, 2007

<b>Vendors:</b>	<b>Address</b>	<b>Principal</b>
• Alanis Inc. (Local vendor)	7220 N.W. 36 <sup>th</sup> St. #429 Miami, FL 33166	Adetutu Ajagbe
• Delad Security Inc. (Local vendor)	6073 N.W. 167 <sup>th</sup> St. #C-10 Miami, FL 33015	Adeola M. Akanni
• Forestville Corp. (Local vendor)	6990 S.W. 8 <sup>th</sup> St. Miami, FL 33144	David H. Shopay Thomas M. Shopay
• Millex Corp. (1985) Inc. (Local vendor)	5190 N.W. 167 Street Suite 215 Miami, FL 33014	Ian Robinson Lydia A. Robinson
• Security Alliance of Florida LLC	9350 Financial Center Penthouse V Miami, FL 33156	David Ramirez Carl St. Phillip
• Vanguard Security Inc.	10145 N.W. 19 Street Miami, FL 33172	Ronald Farrell Robert Mills
• 50 State Security Service Inc. (Local vendor)	1125 N.E. 125 <sup>th</sup> St Miami, FL 33161	Ted L. Kretzschmar Lianne Yao John Williams

**Contract Measure:** None

**Local Preference:** Not applicable

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

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

**Contract Managers:** Maria Hevia, Department of Procurement Management  
Lucy Romano, General Services Administration

**Contract Date:** **Effective** 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 extend the term of this contract for an additional six months to September 30, 2007, and for additional spending authority in the amount of \$22,211,994 to cover the six-month extension period to provide security guard services at various facilities managed by General Services Administration (GSA) pending the commencement of the successor contracts.

The term of this contract was presented to the Board of County Commissioners for approval on March 15, 2005 for a one (1) year term with two six (6) month Options to Renew. The contract value for the initial term (April 1, 2005 – March 31, 2006) was \$28.43 million.

The Board approved award of the contract for a period of one year and indicated that the County was only to exercise the Options-to-Renew with Board approval. The Board subsequently approved the options-to-renew to allow sufficient time for the issuance, evaluation and award of a competitive replacement contract. The Board approved the first option-to-renew on November 1, 2005, and the second on June 6, 2006. The second option-to-renew will expire on March, 31, 2007. The recommended modification will extend the contract for an additional 6-month period, extending the expiration date to September 30, 2007.

The contract value of each extension was \$14.211 million, a 50% proration of the original contract amount. Relying on the original contract value to set the allocations for the subsequent extension periods did not provide sufficient funding to cover the Living Wage and Cost of Living adjustments that occurred during the contract term, or increases in the level of service required by the various County departments and provided by the awarded vendors. The client department is now requesting approval of an increase to cover the referenced adjustments for the option to renew, based on the actual spending levels. As a result, this modification includes extraordinary increases in allocations to address the actual use and need of providing these services.

An additional \$8,000,000 in contract allocation (over the base amount of \$14,211,944) is required for the following reasons:

- o \$1,800,000 to cover services for the remainder of the current Option-to-Renew period (October 1 –March 31, 2007), which will exceed the initial estimate due to an increase in service hours since the initial contract period, as well as, to cover the impact of two prior Living Wage adjustments (October 1, 2005 and October 1, 2006), and one cost-of-living contract adjustment (April 1, 2006), not previously included in the allocation.
- o \$3,000,000 to cover services for the requested six-month extension period (April 1 – September 30, 2007). The total cost of services for this six month term is projected to be \$17.2 million: this is due to an increase in service hours since the initial contract period, as well as the impact of two prior Living Wage adjustments (October 1, 2005 and October 1, 2006), and two cost-of-

living adjustments (April 1, 2006 and April 1, 2007).

- o \$3,200,000 – to cover unanticipated expenses incurred during the initial 12-month contract period (April 1, 2005 – March 31, 2006) and the first 6-month Option-to-Renew period (April 1, 2006 – September 30, 2006). The increases were due to increases in service hours, and an unusually high number of temporary security guard assignments (for example, those required following Hurricanes Katrina, Rita and Wilma in 2005), as well as the impact of one Living Wage adjustment (October 1, 2005), and one cost-of-living adjustment (April 1, 2006). Lags in the receipt of invoices from vendors enabled staff to make these payments out of allocations for subsequent periods, rather than by the timely issuance of contract modifications, as should have been done. Personnel involved in this process have been counseled, and controls instituted to ensure such problems do not occur in the future.

The successor contracts for security guard services are also placed on this agenda. Request for Proposals (RFP) 487A (for departments not using federal funding), and RFP 487B, were issued to replace this emergency contract. It was necessary to exercise the second option to renew for six months that the Board approved to allow sufficient time for evaluation of the two Requests for Proposals, to include the review of information regarding one of the proposers involved in a Qui Tam legal matter, and for an effective service transition once the contracts are awarded.

Following the evaluation process, the recommendation to award RFP 487A was approved by the County Manager on October 3, 2006. It was originally placed on the October 19, 2006 Internal Management and Fiscal Responsibility Committee (IMFR) agenda but was carried over to November because there was no quorum. Although there was no quorum, the item was to be removed because a bid protest was filed by JMG Insystem, Inc. d/b/a/ Sereca Corporation on October 18, 2006. The bid protest filed by JMG Insystem, Inc. was later withdrawn. The award was then included on the November 2006 IMFR agenda, but was deferred to the December agenda for review of Small Business Enterprise issues. The award of RFP 487A was then deferred from the December 2006 IMFR agenda to the January 2007 agenda due to the ongoing review of issues involving the Small Business Enterprise (SBE) certification of recommended proposers.

The recommendation to award RFP 487B was approved by the County Manager on January 2, 2007. It has been placed on the January 18, 2007 IMFR agenda together with RFP 487A.

These unanticipated and unavoidable delays necessitate an additional extension of the current contract, which is beyond the County Manager's delegated authority, and requires Board approval.

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

**Item 6.1**

**RECOMMENDATION**

It is recommended that the Board of County Commissioners ratify the award of a confirmation purchase to Florida International University for information technology training services rendered for Enterprise Technology Services Department (ETSD).

**Contract No:** CP08188-ET

**Contract Title:** Information Technology Training

**Description:** To provide information technology training services.

**Term:** April 24, 2006 – July 17, 2006

**Contract Amount:** \$105,750

<b>Vendor:</b>	<b>Address</b>	<b>Principal</b>
• Florida International University (Local vendor)	Serdac-FIU, Room PC549 Tamiami Trail, FL 33199	State of Florida

**Contract Measure:** None

**Review Committee Date:** None

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

**Contract Managers:** Lourdes Betancourt, Department of Procurement Management

Pedro Cacicedo, Enterprise Technology Services Department

**JUSTIFICATION**

ETSD requests retroactive approval to pay Florida International University (FIU) for information technology training services provided between April and July 2006. The training involved five courses representing a series leading towards numerous certifications such as Core Distributed Application Development with Microsoft Visual Studio 2005; Advanced ASP.NET; Core Web Application Technologies with Microsoft Visual Studio 2005; Visual Studio 2005 ADO.NET 2.0; and Visual Studio 2005. The curriculum focused on a new programming technology (.NET) being implemented by the County. Twenty five students attended each course. ETSD coordinated the development of the curriculum and enrollment of the students on behalf of participating departments according to an established practice followed since the establishment of Miami Dade County University (M-DCU). Payment of the resulting invoice would have been handled by ERD as in the past.

Upon receipt of the invoice, ERD informed ETSD that they could not process these types of invoices any longer, since a formal agreement between the County and FIU did not exist covering the training services. The training program is currently on hold pending the establishment of such an agreement. This action is being processed as a Confirmation Purchase in order to pay FIU for the services rendered.

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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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