Memorandum

MIAMI-DADE COUNTY

Date: March 6, 2007

Amended
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

Subject: Resolution Waiving Formal Bid Procedures

R#178-07

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: Urban Ecosystem and Land Cover Analysis is approval of a sole source contract for software licensing, support, and training services to develop a Geographic Information System (GIS) data set that will facilitate an ecological analysis of changes in the community's green infrastructure for the Department of Environmental Resources Management.

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: Janitorial Services for MDHA is to ratify an emergency award for the purchase of janitorial services at the Miami-Dade Housing Agency.

Item 4.2: Janitorial Services – Downtown Complex is to ratify an emergency award for the purchase of janitorial services at the Downtown Government Complex for the General Services Administration.

Item 4.3: Janitorial Services for Library Department is to ratify an emergency award for the purchase of janitorial services at the Miami-Dade Public Library branches.

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: Elevator Maintenance Services is for additional spending authority and time for maintenance and parts for elevators and escalators at various locations. This modification will extend the contract for three months with prorated funding at various departments.

Item 5.2: Repair and Upgrade of Security System at the Metro West Detention Center is for additional spending authority and time for the upgrade and repair of the security system at the Metro West Detention Center. This modification will extend the contract for six months with additional funding in the amount of $120,000 for the Corrections and Rehabilitation Department.

Item 5.3: Emergency Medical Transport Billing & Collection Services is for additional spending authority and time for Emergency Medical Transport Billing & Collection services for the Miami-Dade Fire Rescue Department.

Item 5.4: Juvenile Detention Services is for additional spending authority and time for the purchase of juvenile detention services at the Miami-Dade Juvenile Assessment Center.

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 Lighting Services is to ratify the award of a confirmation purchase for street lighting repair services 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.

Item 7.1: Voter Registration Database is approval to exercise the Option to Renew (OTR) periods for voter registration systems support services for the Elections Department.

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: March 6, 2007

FROM: Murray A. Greenberg, County Attorney

SUBJECT: Amended 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 _____

Amended
Agenda Item No. 8(O)(1)(B)
3-6-07

RESOLUTION NO. 178-07

RESOLUTION WAIVING OF 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. Gimenez	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 March, 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.

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

Item 1.1

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the award of a sole source contract to American Forests for the software licensing, support, demonstrations and training services required for the development of an ecological analysis of changes in the green infrastructure of Miami-Dade County.

Contract No:	SS8204-2/12
Contract Title:	Urban Ecosystem and Land Cover Analysis
Description:	This contract will provide the Department of Environmental Resources Management with software licensing, support, and training services that are required to develop a Geographic Information System (GIS) data set that will facilitate an ecological analysis of changes in the community's green infrastructure, including tree canopy, land cover and vegetation.
Term:	Three years with two 1-year options-to-renew
Contract Amount:	$182,078 for three year term

Using/Managing Agencies and Funding Sources:

Department	Allocation	Funding Source
DERM	$182,078	Grant Funding

Previous Contract Allocation:	Not Applicable
Method of Award:	Sole Source

Vendors:

	Address	**Principal**
• American Forests (Non-local vendor)	P.O. Box 2000 Washington DC 20013	Gary Moll

Contract Measure:	None
Review Committee Date:	January 31, 2007, Item #5-01
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. Grant funding will be utilized to pay for services under this agreement.
Contract Managers:	Carlos R. Scull, Department of Procurement Management Alyce M. Robertson, County Manager's Office Jerry Crawford, Department of Environmental Resources 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 Department of Environmental Resources Management (DERM) has obtained an Urban and Community Forestry Grant to obtain software licensing, support, and training services to develop a Geographic Information System (GIS) data set that will facilitate an urban ecological analysis (UEA). The UEA will examine changes in the community's green infrastructure including tree canopy, land cover and vegetation. The data obtained through this process will be used to incorporate green infrastructure into future planning efforts and to recover from tree canopy loss due to hurricanes, citrus canker and urban development. This project is also anticipated to enhance ecosystem services in the community such as storm water management, air, and water quality.

This is a joint project with the City of Miami. An interlocal agreement with the city will be presented to the Board under separate cover through the Office of Community Image.

Market research conducted by DERM and the Department of Procurement Management determined that American Forests is the only company able to provide all requirements through its CITY green software application. CITY green has the ability to gather, compile and develop a series of green infrastructure data layers for use in the GIS. American Forests is the sole proprietor of the CITY green software application. CITY green uses engineering formulas provided by the Natural Resource Conservation Service, the US Forest Service, and Purdue University by quantifying tree canopy and other land cover designed to improve air and water quality and slow storm water runoff.

The County's current GIS imagery is based on visible light and it does not identify the vegetation necessary for land cover analysis. Therefore, the purchase of UEA services with its CITY green software and support from American Forests is needed in order to develop and implement green infrastructure into future planning throughout Miami-Dade County.

SECTION #2
BID WAIVERS

There are no items for this section.

SECTION #3
COMPETITIVE BID WAIVERS

There are no items for this section.

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 janitorial services at the Miami-Dade Housing Agency (MDHA).

Contract No: E8195-0/06

Contract Title: **Janitorial Services for MDHA**

Description: To establish an emergency contract for the purchase of janitorial services.

Term: October 21 through December 31, 2006

Contract Amount: $300,000

Using/Managing Agencies and Funding Sources:

Department	Allocation	Funding Source
Housing	$300,000	Federal

Previous Contract Allocation: $150,000 for a one-month term

Method of Award: Emergency award to the vendors who provided services on the previous contract

Vendors:	**Address**	**Principal**
• TCB Systems Inc. (Local vendor)	11861 S.W. 144 Ct. Bay 3 Miami, FL 33186	Robert Orue
• Vista Building Maintenance Services Inc. (Local vendor)	8200 Coral Way Miami, FL 33155	James M. Haley

Contract Measure: None

Review Committee Date: December 13, 2006; Item #5-01

Local Preference: Not applicable

Living Wage: The Living Wage Ordinance applies.

User Access Program (UAP): This contract does not include the User Access Program (UAP) provision as it is entirely federally funded.

Contract Managers: Drakus Wiggins, Department of Procurement Management

Mari Saydal, Miami-Dade Housing Agency

Contract Effective Date: October 21, 2006 subject to retroactive approval by the Board.

JUSTIFICATION

Seeking ratification of an emergency contract awarded by the Miami-Dade Housing Authority (MDHA) on October 21, 2006 for janitorial services at several facilities.

Due to 2005-06 US Housing and Urban Development federal funding budget cuts, MDHA removed the Custodian 1 classification from its table of organization and budget with the intent to replace the services provided by staff with contracted services. MDHA and the Department of Procurement Management began the procurement of these janitorial services. In the interim, maintenance staff performed janitorial services in addition to their maintenance duties: responding to regular and emergency resident work orders, vacancy preparation, and preventative maintenance.

In order to allow the MDHA maintenance staff to provide residents with a more timely maintenance response, a request was made for a janitorial services contract to be implemented on an emergency basis pending award of a long term contract under full and open competition. Contract No. E8117-3/06-OTR was awarded on August 21, 2006 for an initial term of one month with three (3) one-month options-to-renew. This award was ratified by the Board on December 19, 2006. The first option-to-renew was exercised on September 21, 2006, and expired on October 20, 2006, prior to final approval to exercise the second option period. Consequently, the second option period could not be exercised.

This emergency award was requested by MDHA to provide continuity of janitorial services for the period October 21 to December 31, 2006. The successor contract became effective on January 1, 2007 for a period of one year with one (1) one-year option-to-renew.

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

RECOMMENDATION

It is recommended that the Board of County Commissioners waive formal bid procedures and ratify an emergency award for the purchase of janitorial services at the Downtown Government Complex for the General Services Administration (GSA).

Contract No:	E8196-0/06
Contract Title:	**Janitorial Services – Downtown Complex**
Description:	To establish an emergency contract for the purchase of janitorial services at the twelve buildings that comprise the Downtown Government Complex.
Term:	December 1, 2006 through December 31, 2006
Contract Amount:	$282,690 for the one-month term

Using/Managing Agencies and Funding Sources:

Department	Allocation	Funding Source
GSA	$282,690	General

Previous Contract Allocation:	$2,691,155 for a one-year term
Method of Award:	Emergency award to the recommended vendor on the successor contract.

Vendors:

	Address	**Principal**
• TCB Systems Inc. (Local vendor)	11861 S.W. 144 Ct. Bay 3 Miami, FL 33186	Robert Orue

Contract Measure:	None
Review Committee Date:	December 6, 2006; Item #2-02
Local Preference:	Not applicable
Living Wage:	The Living Wage Ordinance applies.
User Access Program (UAP):	This contract includes the User Access Program (UAP) provision and the 2% program discount is being collected.
Contract Managers:	Drakus Wiggins, Department of Procurement Management Lucy Romano, General Services Administration
Contract Effective Date:	December 1, 2006 subject to retroactive approval by the Board.

JUSTIFICATION

Seeking ratification of an emergency contract awarded by GSA on November 1, 2006 for janitorial services at the Downtown Government Complex.

Janitorial services at the downtown government complex were previously provided under a

contract awarded on December 1, 2004 for an initial one-year term with one (1) six-month option-to-renew, expiring on May 31, 2006. A six-month extension with prorated funding was processed on June 1, 2006, extending the contract through November 30, 2006 to allow for the establishment of a successor contract.

The successor solicitation opened on April 26, 2006, with two vendors responding. During evaluation, staff conducted an extensive review of the pricing submitted for optional services. There was concern that the excessive prices submitted for these items by the apparent low bidder could have skewed the bid. After a careful review of the pricing and the historical usage of the optional services, staff met with the user department to discuss these concerns. Safeguards were established to ensure that the use of the optional services is closely monitored by the department.

The recommendation to award Contract No. 8026-3/11 was posted on November 16, 2006 and the award was approved by the Board on December 19, 2006. The extension period of Contract No. EM4648-1/05-1 expired on November 30, 2006. This emergency contract, awarded to the recommended vendor at the prices proposed for the replacement contract, provided continuity of services at the downtown government facilities for the month of December 2006. Replacement Contract No. 8026-3/11 was effective as of January 1, 2007.

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

RECOMMENDATION

It is recommended that the Board of County Commissioners waive formal bid procedures and ratify an emergency award for the purchase of janitorial services at the Miami-Dade Public Library branches.

Contract No: E8199-0/07

Contract Title: **Janitorial Services for Library Department**

Description: To establish an emergency contract for the purchase of janitorial services at thirty-four (34) Miami-Dade Library branches.

Term: November 1, 2006 through April 30, 2007

Contract Amount: $390,000 for the six-month term

Using/Managing Agencies and Funding Sources:

Department	Allocation	Funding Source
Library	$390,000	Operating funds

Previous Contract Allocation: $305,842 for a six-month term

Method of Award: Emergency award to the vendor who provided services on the previous contract.

Vendors:

	Address	Principal
• Diamond Contract Services Inc. (Non-local vendor)	2819 Burton Ave. Burbank, CA 91504	Derek C. Smith

Contract Measure: None

Review Committee Date: December 20, 2006; Item #2-02

Local Preference: Not applicable

Living Wage: The Living Wage Ordinance applies.

User Access Program (UAP): This contract includes the User Access Program (UAP) provision and the 2% program discount is being collected.

Contract Managers: Pamela Jenkins-Jones, Department of Procurement Management

Leo Maresma, Library Department

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

JUSTIFICATION

Seeking ratification of an emergency contract awarded by the Library Department on November 1, 2006 for janitorial facilities at 34 Miami-Dade Public Library branches.

The Miami-Dade Public Library System (MDPLS) purchases janitorial services for the routine cleaning of thirty-four public library branches. The contract allows for the addition of new branches as needed. The previous contract expired on October 31, 2006.

During the process of drafting a replacement solicitation, the MDPLS raised concerns about the quality of services received on the previous contract. Based on these concerns, staff decided to change the solicitation method from an invitation to bid (ITB), to a request for proposal (RFP). The MDPLS is seeking a long-term replacement contract that includes performance-based specifications for increased quality of services.

The incumbent vendor has agreed to maintain the pricing from the previous contract for the term of this emergency contract. The replacement solicitation will be issued as an RFP under full and open competition. It is currently under review by the Department of Business Development (DBD) for Small Business Enterprise (SBE) participation and the County Attorney's Office (CAO) for legal sufficiency.

The issuance of this emergency contract was certified by the director of the Library 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 approve a modification to this contract for additional spending authority and time for maintenance services for elevators and escalators at various County departments. The allocation for Miami-Dade Transit may be funded with proceeds from the surtax to the extent justified by the allocation model that will charge the surtax of the cost of any additional services implemented as a result of the approval of the sales tax. The total cost of the contract will be distributed through the allocation model. As a direct result of the People's Transportation Plan, the elevators located in MetroRail Stations are being used more frequently due to the increase in service and ridership. The increased usage causes excessive wear and tear, requiring additional maintenance and repairs.

Contract No: SS1245-4/06-4

Contract Title: **Elevator Maintenance Services**

Description: This contract is used to provide maintenance and parts on Schindler elevators and escalators identified as critical throughout the County.

Initial Contract Term and Estimated Usage:

	Allocation	Term	Date
	$3,358,000	1 year	December 1, 2001-November 30, 2002

Option-to-Renew and Estimated Usage:

First Option-to-Renew:	$ 3,348,000	1 year	December 1, 2002-November 30, 2003
Second Option-to-Renew:	$ 3,519,500	1 year	December 1, 2003-November 30, 2004
Third Option-to-Renew:	$ 3,559,500	1 year	December 1, 2004-November 30, 2005
Fourth Option-to-Renew:	$ 3,565,000	1 year	December 1, 2005-November 30, 2006
First Modification:	$ 891,250	3 months	December 1, 2006- February 28, 2007
Second Modification:	$ 297,083	1 month	March 1, 2007- March 27, 2007
	$18,538,333	5 years, 4 mos.	

Type of Change: Additional spending authority and time

Existing Allocation: $4,753,334

Increase by: $1,287,250 and three months

Modified Allocation: $6,040,584

Using/Managing Agencies and Funding Sources:

Department	Existing Allocation	Additional Allocation	Modified Allocation	Funding Source
Aviation	$1,466,667	$ 671,000	$2,137,667	Revenue
Corrections & Rehabilitation	$ 386,000	$ 72,375	$ 458,375	General
GSA	$ 801,833	$ 151,375	$ 953,208	General
Housing	$ 80,000	$ 15,000	$ 95,000	Federal
Seaport	$ 226,667	$ 42,500	$ 269,167	Operating Revenue
Transit	$1,786,667	$ 335,000	$2,121,667	PTP & Operating
Unallocated	$ 5,500	$ 0	$ 5,500	
Total	$4,753,334	$1,287,250	$6,040,584	

Current Expiration: March 27, 2007

Modified Expiration: June 27, 2007

Vendor:	**Address**	**Principal**
• Schindler Elevator Corp. (Local vendor)	13800 NW 2 St. #140 Sunrise, FL 33166	George Amthor

Contract Measure: None

Local Preference: Not applicable

Living Wage: The Living Wage Ordinance does apply.

User Access Program (UAP): This contract includes the User Access Program provision. The 2% program discount is being collected on all purchases that do not utilize a federal funding source.

Contract Managers: Pearl Bethel, Department of Procurement Management

Michael Chavez, General Services Administration

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

REASON FOR CHANGE

Authorization is requested for additional spending authority and time to provide maintenance services for elevators and escalators at various county departments. This modification will ensure the continuity of service and allow the County to finalize the scope of services for a replacement contract.

This contract was approved as a Sole Source by the Board of County Commissioners on November 6, 2001 for a one-year period with four one-year options-to-renew to provide elevator and escalator maintenance services at various County departments. The last option-to-renew expired on November 30, 2006. A three month prorated extension was approved by the County Manager. Subsequently, the Department of Procurement Management authorized an additional one month extension, through March 27, 2007. This modification will take the term of the contract

to June 27, 2007 and will modify the current allocation by $1,287,500. The County is currently negotiating a successor contract. Should the successor contract be finalized and approved prior to the modified expiration date, the contract will be administratively terminated to allow the commencement of the successor contract.

Included in the $1,287,500 increased allocation is a three-month proration of $275,000 for MDAD as well as a requested $396,000 to allow for repairs in excess of routine maintenance provided by the contractor, totaling a $671,000 allocation for the Department. The allocation amount in the original contract is not sufficient due to these required services and repairs. Some of the additional repair work includes:

- Repair and/or replacement of burned-out motors and discontinued supporting equipment for executive elevators
- Repair of stalled or damaged elevator doors
- Replacement of elevator car and hallway doors
- Replacement of elevator car interior floors
- Replacement of damaged escalator steps

In addition to routine maintenance, there are miscellaneous repairs necessary to bring MDAD's elevators and escalators to an appropriate level of service, including:

- repair/replacement of overheated oil systems
- malfunctioning elevator door sensors
- broken comb teeth
- power outages
- triggered smoke detectors
- retrieval of items such as passports, driver licenses, keys, etc. dropped into the pits

The escalators and elevators at MDAD are operated 24 hours a day, seven (7) days a week. These units are critical to operations at the airports, providing efficient transportation of passengers, visitors, tenants, and facility users.

RECOMMENDATION

It is recommended that the Board of County Commissioners waive formal bid procedures and ratify a modification to an emergency award for the upgrade and repair of the security system at the Metro West Detention Center (MWDC). This modification will extend the contract for six months with additional funding in the amount of $120,000.

Contract No: E8092-0/06

Contract Title: **Repair and Upgrade of Security System at MWDC**

Description: This contract is to provide for the repair and upgrade of the security system

Type of Change: Additional spending authority and time

Existing Allocation: $600,000

Increase by: $120,000

Modified Allocation: $720,000

Using/Managing Agencies and Funding Sources:

Department	Existing Allocation	Additional Allocation	Modified Allocation	Funding Source
Corrections	$600,000	$120,000	$720,000	General

Current Expiration: December 31, 2006

Modified Expiration: June 30, 2007

Vendor:	**Address**	**Principal**
• Black Creek Integrated Systems Corp. (Non-local vendor)	2130 A.E. Moore Dr. Moody, AL 35004	Randy Hill

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 2% User Access Program provision as it was awarded by the Corrections Department on an emergency basis.

Contract Managers: Maria Hevia, Department of Procurement Management

Maria Quinoa, Corrections and Rehabilitation

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

REASON FOR CHANGE

Seeking ratification of a modification to an emergency contract awarded by the Corrections and Rehabilitation Department for the repair and upgrade of the security system at the Metro West Detention Center (MWDC).

The security system being upgraded is a proprietary Black Creek Integrated Security System. The main controller of the system is approximately twelve years old and runs on DOS-based, pre-Windows operating software. It controls the functions of several peripheral systems that include access, locks, video, intercom, paging and emergency notification. System failures have been experienced over the last three years and have been corrected with the purchase of obsolete parts available only through the internet.

In June of 2006, the system failed and affected software in visitation and control areas. Corrections staff and Black Creek personnel were unable to restore function in the affected areas. Subsequently, funding was received to upgrade the system and a proposal to complete the upgrade was received from the manufacturer. The need for the upgrade of the system was declared an emergency due to the direct impact the system failure has on the safety of the inmates, staff and visitors.

Additional time is necessary as the vendor has experienced delays in obtaining the equipment necessary to complete the system upgrade. Additionally, further upgrading of the system from an analog to digital signal will make the system more versatile and cost effective to the County. This upgrade will allow compliance with the findings of the Joint Departmental Report conducted by the Miami-Dade Police Department and the Miami-Dade Fire Rescue.

Once the upgrade of the security system is fully installed and operational, it will be inspected and maintained by the Corrections Fire and Security Unit. The issuance of this emergency contract was certified by the director of the Corrections and Rehabilitation Department, as required by *Administrative Order 3-38.*

Item 5.3

RECOMMENDATION

It is recommended that the Board of County Commissioners approve a modification to this contract for Medical Transport Billing & Collection for the Miami-Dade Fire and Rescue (MDFR) Department. This modification will extend the contract for six months with prorated funding, with the option to extend for one (1) additional six month period.

Contract No: TBW7863-1/06-1

Contract Title: **Medical Transport Billing & Collection**

Description: Miami-Dade Fire Rescue emergency medical personnel transport approximately 55,000 individuals annually to local area medical facilities across Miami-Dade County. The cost of this service is recovered from the patient's private healthcare providers, Medicare, Medicaid, and patient self-pay programs that provide reimbursements to the County for the rendered services. This contract provides MDFR with efficient and effective collections to provide the County with funding needed for the delivery of such critical services.

Initial Contract Term and Estimated Usage:

Allocation	Term	Date
$300,000	6 months	September 22, 2005-March 21, 2006

Contract Modifications and Estimated Usage:

First Modification:	$600,000	12 months	March 22, 2006 – March 21, 2007
Total:	$900,000	18 months	

Type of Change: Additional spending authority and time

Existing Allocation: $900,000

Increase by: $300,000 for a six month period

Modified Allocation: $1,200,000

Using/Managing Agencies and Funding Sources:

Department	Existing Allocation	Additional Allocation	Modified Allocation	Funding Source
MDFR	$900,000	$300,000	$1,200,000	Operating Revenue

Current Expiration: March 21, 2007

Modified Expiration: September 30, 2007

Vendor:
- Advanced Data Processing, Inc. (Local vendor)

Address
500 NW 165 Street # 104
Miami, FL 33169

Principal
David J. Graham

Contract Measure: None

Local Preference: Not applicable

Living Wage:	The Living Wage Ordinance does not apply.
User Access Program (UAP):	This is a revenue generating contract, the 2% User Access Program provision does not apply.
Contract Managers:	Adil Khan, Department of Procurement Management Nirhmala Lucas, Miami-Dade Fire Rescue
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 FOR CHANGE

Authorization is requested for additional time and spending authority to provide Medical Transport Billing & Collection services for the Miami-Dade Fire Rescue Department (MDFR). For the continuity of Emergency Medical Billing and Collection services, it is requested that the Board approve the extension of the existing contract for six months with an option to renew for an additional six month period. This extension will provide sufficient time to establish a new long-term successor contract.

The existing contract with Advanced Data Processing Inc. (ADPI) expired on March 21, 2006. On January 24, 2006, the Board authorized a twelve month, month-to-month contract extension through March 12, 2007. These extensions were authorized to provide uninterrupted services until a successor contract is established through a competitive RFP process.

The County issued RFP 516 under full and open competition on March 16, 2006 for Emergency Medical Transport Billing and Collection services. Eight proposals were received. After a comprehensive evaluation of the proposals, the selection committee submitted its recommendations. The County Manager filed a recommendation to award to the top ranked firm, Advanced Data Processing Inc., on November 30, 2006. On December 14, 2006, the second ranked firm, PerSe Technologies, filed a protest, citing discrepancies in the price evaluation formula used for the price calculation and assignment of price points. The extension will provide for continuity of services while the protest is addressed.

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

Item 5.4

RECOMMENDATION

It is recommended that the Board of County Commissioners waive formal bid procedures and approve the modification of an emergency award for the purchase of juvenile detention services at the Miami-Dade Juvenile Assessment Center.

Contract No: E8104-0/06

Contract Title: **Juvenile Detention Services**

Description: To establish an emergency contract for the purchase of juvenile detention services.

Initial Contract Term and Estimated Usage:

Allocation	Term	Date
$700,000	5 months	August 1, 2006 – December 31, 2006

Option-to-Renew and Estimated Usage:

First Modification:	$420,000	3 months	January 1, 2007 – March 31, 2007
Total:	$1,120,000	8 months	

Type of Change: Additional spending authority and time. Month-to-month extension with prorated funding (for up to twelve months)

Existing Allocation: $1,120,000 for an eight month term

Increase by: $140,000 per month (total of $1,680,000 for twelve months)

Modified Allocation: $2,800,000 (through March 31, 2008)

Using/Managing Agencies and Funding Sources:

Department	Existing Allocation	Additional Allocation	Modified Allocation	Funding Source
Juvenile Assessment	$1,120,000	$1,680,000	$2,800,000	General

Current Expiration: March 31, 2007

Modified Expiration: March 31, 2008 (if all twelve months are exercised)

Vendor:
- The Wackenhut Corp. (Non-local vendor)

Address
4200 Wackenhut Dr.
Palm Beach Gardens, FL 33410

Principal
Jeffery Cappeletti

Contract Measure: None

Local Preference: Not applicable

Living Wage: The Living Wage Ordinance applies.

User Access Program (UAP):	This contract does not include the 2% User Access Program provision as it was awarded by the Juvenile Assessment Department on an emergency basis.
Contract Managers:	Maria Hevia, Department of Procurement Management Tatosha Tarver, Juvenile Services Department
Contract Effective Date:	The effective date of this contract modification will be after approval by the Board and expiration of the mayoral veto period.

REASON FOR CHANGE

Authorization is requested for additional time and spending authority for up to twelve months (on a month-to-month, prorated basis), an emergency contract awarded by the Miami-Dade Juvenile Assessment Department on August 1, 2006 for juvenile detention services for the juvenile detainees processed at the Miami-Dade Juvenile Assessment Center (JAC).

The previous contract for juvenile detention services at the JAC was affected by the Hershell-Gill court ruling as it included a 40% Black Business Enterprise subcontractor goal, therefore the contract could not be renewed or extended. A Request for Proposal was prepared and advertised with the intent of awarding a replacement contract. Although the process progressed in a timely manner, legal consultations and a pending audit involving the incumbent firm have delayed the solicitation process.

The Juvenile Assessment Department processed an emergency purchase order to The Wackenhut Corporation, the incumbent vendor, to ensure continuity of these specialized and sensitive services. At this time, the replacement solicitation is being reviewed. This extension, with prorated funding, is necessary to ensure continued uninterrupted service while this process takes place.

The issuance of this emergency contract was certified by an authorized representative of the director of the Miami-Dade County Juvenile Assessment Department, as required by *Administrative Order 3-38.*

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 Under Power Corporation for street lighting repair services rendered for the Public Works Department.

Contract No:	CP2986-PW
Contract Title:	**Street Lighting Services**
Description:	To purchase street lighting repair services.
Term:	March 6, 2006 – May 26, 2006
Contract Amount:	$700,066.57

Vendor:	**Address**	**Principal**
• Under Power Corporation (Local vendor)	1380 NW 78 Ave Miami, FL 33126	Rafael Nin

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

Public Works Department requests retroactive approval to pay Under Power Corporation for street lighting repair services provided between March 6, 2006 and May 26, 2006. The County's street light systems were damaged from Hurricane Wilma. After the hurricane, the Florida Department of Transportation (FDOT) offered to assist with the emergency work by having a contract in place for repair services. However, an FDOT contract was not available at the time Public Works needed these services. Considering the safety of the public and the County's liability, Public Works procured the services for repair of street lights.

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

Item 7.1

RECOMMENDATION

It is recommended that the Board of County Commissioners authorize the Option-to-Renew (OTR) periods for the continuation of on-going voter registration systems support services for the Miami-Dade Elections Department (Elections).

Contract No.:	BW8084-10/17
Contract Title:	**Voter Registration Database**
Description:	This contract is for continuing support of Elections' customized Megalink data processing services and software system.
Initial Contract Term and Estimated Usage:	$75,000 for one year — Date: July 10, 2006 – June 30, 2007
Option-to-Renew and Estimated Usage:	Ten (10), 1-year options to renew at the County's sole discretion with a fixed rate of $75,000 per year.

Using/Managing Agencies and Funding Sources:

Department	Existing Allocation	Funding Source
Elections	$75,000	General

Contract Measure:	None
Local Preference:	Not Applicable
User Access Program (UAP):	This contract includes the User Access Program (UAP) provision. The 2% discount will be collected.

Vendor:	**Address**	**Principal**
• Logicworks, Inc. (non-Local vendor)	8842 Estate Drive West Palm Beach, FL 33411	Jon C. Winchester

Contract Managers:	Leida Altman Carrillo, Department of Procurement Management John Clouser, Miami-Dade County Elections Department

JUSTIFICATION:

Elections currently utilizes customized data process services and software program (Megalink) written by LogicWorks, Inc exclusively for Miami-Dade County. The Megalink system is used to support the tabulation inventory system, early voting system, Election Day call center, and mapping system for voters. LogicWorks provides computer systems and software analysis, programming, testing implementation and documentation services and on-going support of the Voter Registration System. LogicWorks also provides software corrections to the system when the system fails to perform as designed and provides enhancements necessary to comply with federal and state requirements.

The Megalink system is proprietary to LogicWorks, Inc. and they are the only authorized party that can modify the codes to create, modify and support the software. Market research was conducted. No other company was identified that was able to support this customized system. The Megalink system was designed specifically to support other software programs and systems that are unique to the Miami-Dade County Elections Department.

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.