

Memorandum



Date: February 5, 2008

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

Agenda Item No. 8(0)(1)(A)

From: George M. Burgess
County Manager

Subject: Resolution Requesting Authority to Exercise Option-to-Renew Periods Under an Existing Competitive Contract that Would Bring the Cumulative Contract Value to More than \$1 Million

At its January 22, 2008 meeting, the Board bifurcated Item No. 3 - Systems Furniture Services - in agenda item No. 8O1A and directed staff to present the stand alone item at its February 5, 2008 meeting.

Recommendation

It is recommended that the Board of County Commissioners delegate to the County Mayor the authority to exercise in his discretion the Options-to-Renew (OTRS) set forth in this item when in the best interest of Miami-Dade County. On October 2, 2007 the Board approved Ordinance #07-139, sponsored by Commissioner Rebeca Sosa, providing for Committee review exemption. ***Contract amount and department allocations represent the maximum spending authority based on estimated past usage. It does not guarantee that the total contract amount/value will be expended by County departments and/or agencies.***

Scope

The impact of the items in the accompanying OTR package is countywide in nature.

Fiscal Impact/Funding Source

The accompanying OTR package states the allocation amount and funding source for each department utilizing a contract. ***Funding will be expended only if departmental budgets can support the expenditures as approved in their Resource Allocation Plan adopted annually by the Board.***

Track Record/Monitor

There are no known performance issues with the vendors recommended for award in the accompanying OTR package. Each department's contract manager is reflected in the accompanying agenda item.

Delegated Authority

If this item is approved, the County Mayor or his designee will have the authority to exercise in his discretion subsequent OTRs, in accordance with the terms and conditions of the contracts listed in the accompanying package. The Board is approving delegation to the County Mayor or his designee.

Background

The contract listed in this item requires approval to exercise the OTRs contained in this contract

that would, if exercised, bring the cumulative value of the contract over \$1 million. The contract was awarded using full and open competition 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.

At its January 22, 2008 meeting, the Board considered the *Authority to Exercise Option-to-Renew Periods* package listed as Agenda Item No. 8O1A. Questions were raised regarding Living Wage violations issued to Puryear, Inc., the secondary awarded vendor on the Systems Furniture Services contract. The Board bifurcated item number 3, Systems Furniture Service, from the package and deferred it to the February 5, 2008 Board meeting, instructing staff to meet with the vendor to address compliance issues. According to the Department of Small Business Development (SBD) compliance history record, Puryear has been issued two Notices to Cure and six Notices of Violations (NOV). One of these NOV's is being retracted as proof of insurance has now been provided by this firm.

On January 23, 2008, SBD staff met with Puryear representatives to review the wage analysis and the wages due the remaining 12 employees. Puryear agreed to revise its payrolls to accurately reflect the hours worked on this project and provide documentation to support the revised payrolls by January 28, 2008. Once this information is received and reviewed, any revisions necessary will be made to the wage analysis and Puryear will be advised accordingly. Puryear expressed a desire to resolve this matter as expeditiously as possible.

SBD reviews all contracts established by the Department of Procurement Management prior to exercising an OTR to ensure maximum participation by Small Business Enterprise (SBE). Should SBD determine SBE availability, a new solicitation will be issued with measures.

Prior to exercising any OTR periods, market research is conducted to ensure that continuing to purchase from the awarded vendors is in the best interest of the County. Market research includes competitive factors such as pricing, quality, product features, technology, and lead time. It may also include commercial factors such as environmental issues, other government entity practices, industry trends, support and capabilities. The OTRs for each contract in this section will be executed if determined to be in the best interest of the County by the Board.

Item 3: Systems Furniture Services seeks authority to exercise the OTRs for a contract for reconfiguration, modification and refurbishing of systems furniture for various County departments. The total amount being requested for the option years is **\$3,800,000**.



Assistant County Manager

Item No. 3

RECOMMENDATION

It is recommended that the Board of County Commissioners authorize the County Mayor to exercise the Option-to-Renew (OTR) periods to furnish reconfiguration, modification and refurbishing of systems furniture services for various County departments. The current contract term expires on March 31, 2008. Exercising the four OTR periods will bring the cumulative value of the contract to \$4,750,000.

Contract No.: 2044-4/12

Contract Title: **Systems Furniture Services**

Description: This contract is established to provide reconfiguration, modification and refurbishing of systems furniture services.

Contract Term and Estimated Usage: April 9, 2007 through March 31, 2008
\$950,000 for one year
With four, one-year OTRs through March 31, 2012
\$3,800,000 over the four-year period

Managing Agencies and Funding Sources:

<u>Departments</u>	<u>Existing Allocation</u>	<u>Funding Source</u>
Aviation	\$350,000	Operating Revenue
GSA	\$600,000	Internal Service Funds
Total:	\$950,000 for one year	

Contract Measure: Small Business Enterprise Bid Preference

Review Committee Date: August 23, 2006; Item #6-01

Local Preference: Applied in accordance with the Local Preference Ordinance.

Living Wage: The Living Wage Ordinance does not apply.

User Access Program: This contract includes the User Access Program provision. The 2% discount is being collected on all purchases.

Vendors:	Address	Principal
•Puryear, Inc. (Local vendor)	P.O. Box 013940 Miami, FL 33101	Albert Dotson
•Wegman Associates of Georgia, Inc. (Local vendor)	3950 Executive Way Miramar, FL 33025	Manny Castellanos

Performance Data: There are no known performance issues.

Compliance Data: Puryear has been issued five Living Wage violations on four other County contracts for failure to pay accurate living wage rates for its employees. There is also one Living Wage violation for failure to provide requested payrolls. All violations issued to date have been resolved, and sanctions imposed and fines collected as follows:

- 1st Violation was issued on December 28, 2004 on the Janitorial Services contract for the Justice Center Complex for failing to respond to a payroll audit. The firm responded and this matter was resolved on December 30, 2004. The firm is now in compliance.
- 2nd Violation was issued on April 17, 2007 on the Janitorial Services contract for Metromover Stations and resolved July 30, 2007. Back wages were paid to 30 employees totaling \$23,397.77. Sanction imposed in the amount of \$3,035 was collected. The firm is now in compliance.
- 3rd Violation was issued on July 11, 2007 on the Janitorial Services contract for the Miami-Dade Police Department and resolved on July 30, 2007. Back wages were paid to three employees totaling \$2,771.72. Sanction imposed in the amount of \$546 was collected. The firm is now in compliance.
- 4th Violation issued on July 11, 2007 on the Janitorial Services contract for General Services Administration (GSA) and resolved July 30, 2007. Back wages paid to three employees totaling \$521.66. Sanction imposed in the amount of \$160 was collected. The firm is now in compliance.
- 5th Violation was issued on November 2, 2007 on the Janitorial Services contract for various GSA buildings. Back wages owed to eighteen employees in the amount of \$14,507.07. Sanction imposed in the amount of \$4,352.02 was due on December 2, 2007. Follow-up letter issued on December 21, 2007 advising that \$3,976.71 in wages was still due to twelve of the eighteen employees and payment of the sanction of \$4,352.02 is still outstanding. Puryear requested a compliance meeting with the Director of Department of Small Business Development (SBD) which took place on January 23, 2008. Puryear agreed to revise its payrolls to accurately reflect the hours worked on this project and provide documentation to support the revised payrolls by Monday, January 28, 2008.

Contract Managers:

Theresa Wilson, Department of Procurement Management

Aida Bao-Garciga, Miami-Dade Aviation Department

George Rauback, General Services Administration



MEMORANDUM

(Revised)

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

DATE: February 5, 2008

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(O)(1)(A)

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)(A)
02-05-08

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE MAYOR TO
EXERCISE OPTION-TO-RENEW PERIODS FOR A
COMPETITIVELY BID CONTRACT AWARDED
UNDER THE COUNTY MAYOR'S OR HIS
DESIGNEE'S DELEGATED AUTHORITY FOR THE
PURCHASE OF SYSTEMS FURNITURE SERVICES
BID NO. 2044-4/12

WHEREAS, this Board desires to accomplish the purposes outlined in the
accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board
delegates to the County Mayor the authority to exercise in his discretion the options-to-
renew set forth in this item when in the best interest of Miami-Dade County; and the
Board further authorizes the County Mayor or his designee to execute any and all
documents necessary to give effect to those renewals.

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
Carlos A. Gimenez
Joe A. Martinez
Dorrian D. Rolle
Katy Sorenson
Sen. Javier D. Souto

Audrey M. Edmonson
Sally A. Heyman
Dennis C. Moss
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of February, 2008. 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