Memorandum

MIAMI-DADE COUNTY

Date:	April 8, 2008
To:	Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners
From:	George M. Burgess County Manager
Subject:	Resolution Waiving Formal Bid Procedures

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

At the March 11, 2008 Budget and Finance Committee meeting, the following item was amended as follows due to scrivener's errors:

- ***Item 1.2: Integrated Security Systems (ISS) Maintenance, Software Support, and, Parts for the Seaport Department's SKIDATA Parking and Revenue Collection Equipment – Item number was corrected in the memorandum from 2.2 to 1.2 and the method of award was corrected from Bid Waiver to Sole Source.***
- ***Item 2.1: Mobile X-Ray Inspection Vehicle – Added the value of the seven Options-to-Renew ($416,607.41), the method of award was corrected from Sole Source to Bid Waiver and the reference number on the lower right hand corner was corrected from 3.1 to 2.1.***

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. ***Contract amounts and department allocations represent the maximum spending authority based on estimated past usage. This action 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 Bid Waiver Package is countywide in nature.

Fiscal Impact/Funding Source

The accompanying Bid Waiver Package states the funding source for each department utilizing a contract. ***Funding will be expended only if departmental budgets can support the expenditures 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 Bid Waiver Package. Each department's contract manager is reflected in the 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 options-to-renew, extend contracts for purchase of goods and services in accordance with the terms and conditions of the contracts listed in the accompanying Bid Waiver Package.

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: SAIC Long Term Automated Gate System Parts and Maintenance is to award a contract to provide on-site support and preventive maintenance services on hardware and software for the Intelligent Intermodal Solutions gate system at the Port of Miami for the Seaport Department. The amount being requested is **$1,105,069.**

Item 1.2: Integrated Security Systems (ISS) Maintenance, Software Support, and, Parts for the Seaport Department's SKIDATA Parking and Revenue Collection Equipment is to award a contract to provide maintenance, software support and parts for the Seaport Department's SKIDATA parking and revenue collection equipment. The amount being requested is **$1,871,620.**

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 determined to be in the best interest of the County.

Item 2.1: Mobile X-Ray Inspection Vehicle is to award a contract to provide one Z Backscatter Van (ZBV), a mobile Non-Intrusive Inspection (NII) vehicle capable of inspecting cargo containers, tractor trailer trucks and personal vehicles for dangerous or illicit cargo at the Port of Miami for the Seaport Department. The amount being requested is **$880,500**.

Section 3 EMERGENCY PURCHASES

An emergency purchase 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.

There are no items for this section.

Section 4 NON-COMPETITIVE CONTRACT MODIFICATIONS

A non-competitive contract modification is a supplemental allocation for goods or services that exceeds the scope of the original contract allocation, or a modification of an established non-competitive contract, representing a waiver of the competitive bidding process under Administrative Order 3-38.

There are no items for this section.

Section 5 CONFIRMATION (UNAUTHORIZED) PURCHASES

A confirmation purchase is a ratification action approving an unauthorized purchase in accordance with Administrative Order 3-38.

There are no items for this section.

Section 6 APPROVAL OF THE USE OF PEOPLE'S TRANSPORTATION PLAN SURTAX FUNDS

Per Ordinance No. 02-116, the use of People's Transportation Plan (PTP) surtax funds surtax funds requires Board approval, regardless of the dollar amount. The allocated PTP surtax funds will support expanded operations associated with the implementation of capital improvements, maintenance, and/or operations as described by the PTP legislation (Ordinance No. 02-116) and its amendments, including but not limited to Resolution No. R-1154-03 adopted on October 9, 2003, which added the Miscellaneous Capital Improvements Projects List and authorized significant infrastructure improvements for existing Miami-Dade Transit facilities.

There are no items for this section.

Assistant County Manager

SECTION #1
SOLE SOURCE

Item 1.1

RECOMMENDATION

It is recommended that the Board waive formal bid procedures and approve award of a contract to Science Applications International Corporation (SAIC), to provide on-site support and preventive maintenance services on hardware and software for Intelligent Intermodal Solutions gate system at the Port of Miami for the Seaport Department. SAIC will provide printers, test lab equipment (Pedestal), and long term maintenance programs and required support services that will facilitate a successful maintenance program of a new automated cargo gate vehicle processing system, previously purchased from SAIC.

Contract No:	SS8296-5/18
Contract Title:	**SAIC Long Term Automated Gate System Parts and Maintenance**
Description:	This sole source contract provides for on-site support and preventive maintenance services on hardware and software for Intelligent Intermodal Solutions gate system at the Port of Miami.
Contract Amount and Term:	**$1,105,069 for five years** With two, five-year options-to-renew
Managing Agency and Funding Source:	Seaport Department – Operating Revenue
Method of Award:	Sole Source

Vendor:	**Address**	**Principal**
•SAIC (Non-Local Vendor)	2985 Scott Street Vista, CA 92081	Kenneth Dahlberg

Performance Data:	There are no known performance issues.
Compliance Data:	There are no compliance issues.
Contract Measure:	No measure. This is a non-competitive contract.
Review Committee Date:	June 27, 2007; Item #2-04
Local Preference:	Not applicable
Living Wage:	The Living Wage Ordinance does not apply.
User Access Program:	This contract includes the User Access Program provision. The 2% program discount will be collected on all purchases.

Contract Managers: Leida Altman Carrillo, Department of Procurement Management

Gyselle Saner, Seaport Department

Contract Effective Date: Upon approval by the Board and expiration of the mayoral veto period.

JUSTIFICATION

The Seaport Department has requested approval of a non-competitive award to Science Applications International Corporation (SAIC), a sole source vendor, to provide on-site support and preventive maintenance services on existing hardware and software for the Intelligent Intermodal Solutions Gate System at the Port of Miami.

In 2002, the Seaport Department purchased the automated cargo gate vehicle processing system from SAIC to expedite the processing of cars and trucks in restricted cargo areas. The total cost of the automated system was $3.9 million. This included a $1.3 million change order to incorporate new legislated security mandates delineated in FS 311.12. The system was implemented as part of the master capital improvement projects identified and approved by the Board on July 26, 2001 through resolution R-925-01. The capital project only included the initial equipment and software purchase and did not provide for ongoing support and maintenance.

The SAIC system supports printers, test lab equipment, and provides for long term maintenance programs and required support services for successful maintenance program of the automated cargo gate vehicle processing system. The award of this contract will allow the Seaport Department to establish a term maintenance program to service and maintain the equipment and software, purchase parts and supplies. SAIC is the only vendor that has the proprietary rights to service and maintain this system.

The approval of this sole source contract will ensure the continuity of operations at the Port of Miami.

Item 1.2

RECOMMENDATION

It is recommended that the Board waive formal bid procedures and approve award of a contract to Integrated Security Systems (ISS) to provide maintenance, software support and parts for the Seaport Department's SKIDATA Parking and Revenue Collection Equipment.

Contract No:	SS8628-2/18
Contract Title:	**Integrated Security Systems (ISS) Maintenance, Software Support and Parts for the Port of Miami's SKIDATA Parking and Revenue Collection Equipment**
Description:	This sole source contract provides the Seaport Department with maintenance, software support and, parts for the SKIDATA parking and revenue collection equipment.
Contract Amount Term:	**$1,871,620 for five years** With two, five-years options-to-renew
Managing Agency and Funding Source:	Seaport Department - Operating Revenue
Method of Award:	Sole Source

Vendor:	**Address**	**Principal**
•Integrated Security Systems (ISS) (Local vendor)	1876 NW 7th St. Miami, Florida 33125	Jefferey Nunberg

Performance Data:	There are no known performance issues.
Compliance Data:	There are no compliance issues.
Contract Measure:	No measure. This is a non-competitive contract.
Review Committee Date:	June 27, 2007, Item # 2-03
Local Preference:	Not applicable
Living Wage:	The Living Wage Ordinance does not apply.
User Access Program:	This contract includes the User Access Program provision. The 2% program discount will be collected on all purchases.
Contract Managers:	Leida Altman Carrillo, Department of Procurement Management Gyselle Saner, Seaport Department

Contract Effective Date: Upon approval by the Board and expiration of the mayoral veto period.

JUSTIFICATION

The Seaport Department has requested approval of a non-competitive award to Integrated Security Systems (ISS), the sole source vendor, to provide maintenance, software support and parts for the SKIDATA parking and revenue collection equipment.

In 2002, the Seaport Department purchased a parking revenue system from ISS to automate the collection process at the Port of Miami's eastern parking garage and surface lot. The total cost of the automated system was $1.3 million. The system was implemented as part of the master capital improvement projects identified and approved by the Board on July 26, 2001 through resolution R-925-01. The capital project only included the initial equipment and software purchase and did not provide for ongoing support and maintenance. The award of this contract will allow the Seaport Department to establish a term maintenance program to service and maintain the equipment and software and purchase parts and supplies.

ISS is the sole authorized SKIDATA's representative in the South Florida area that can provide service and maintenance to the proprietary software and hardware components of the parking revenue system.

The approval of this Sole Source contract will ensure the continuity of operations at the Port of Miami.

SECTION #2
BID WAIVERS

Item 2.1

RECOMMENDATION

It is recommended that the Board approve award of this contract to American Science & Engineering to provide one Z Backscatter Van (ZBV), a mobile Non-Intrusive Inspection (NII) vehicle capable of inspecting cargo containers, tractor trailer trucks and personal vehicles for dangerous or illicit cargo at the Port of Miami.

Contract No:	BW8623-7/16
Contract Title:	**Mobile X-Ray Inspection Vehicle**
Description:	This contract will provide one mobile inspection vehicle capable of inspecting cargo containers, trailer trucks and personal vehicles with harmless X-ray technology.
Contract Amount and Term:	**$880,500 for one-year**
Options-to-Renew (OTR):	Seven, one-year options-to-renew $ 52,699.65 – 1st OTR $ 54,954.26 – 2nd OTR $ 57,300.90 – 3rd OTR $ 59,703.78 – 4th OTR $ 61,794.79 – 5th OTR $ 63,957.38 – 6th OTR $ 66,197.65 – 7th OTR
Total:	**$416,607.41 for the seven, one-year OTRs**
Managing Agency and Funding Source:	Seaport Department - Florida Insurance Commissioners Funds FSTD-FDOT Funds FDOC Inter-model Funds
Method of Award:	Bid Waiver

Vendor:	**Address**	**Principal**
•American Sciences & Engineering (Non-local vendor)	829 Middlesex Turnpike Billerica, MA 01821	William McMannus

Performance Data:	There are no known performance issues.
Compliance Data:	There are no compliance issues.
Contract Measure:	No measure. This is a non-competitive contract.
Review Committee Date:	January 9, 2008; Item #2-04

Local Preference:	Not applicable
Living Wage:	The Living Wage Ordinance does not apply.
User Access Program:	This contract includes the User Access Program provision. The 2% discount will be collected on all purchases with the exception of $100,000 from grant funds which do not allow application of any administrative fee.
Contract Managers:	Leonard Gonzalez, Department of Procurement Management Gyselle Saner, Seaport Department
Contract Effective Date:	Upon approval by the Board and expiration of the mayoral veto period.

JUSTIFICATION

The Seaport Department is requesting purchase of a Z Backscatter Van (ZBV) to be used for the inspection of cargo containers, tractor trailer trucks and personal vehicles at the Port of Miami. The department requires Non-Intrusive Inspection (NII) technology (benign x-ray that allows the scan of vehicles and containers without having to protect persons from exposure to the x-ray) to identify dangerous or illicit cargo hidden in containers or vehicles.

The ZBV is a unique mobile x-ray vehicle no bigger than a utility van with NII technology that allows for safe scans of passenger cars and delivery vehicles on the cruise side of the port, detecting possible safety and security threats. The ZBV is operated by a two man crew, a driver and x-ray tech. The ZBV can drive by and simultaneously scan all sides of any container loaded on a trailer or stacked on the cargo side of the port.

It is in the best interest of the County to purchase the American Science & Engineering ZBV mobile x-ray vehicle since it is the only company that can produce an x-ray imaging vehicle with benign x-ray technology, is 100 percent mobile with multiple uses and is significantly less expensive to acquire and operate than its competitors.

MEMORANDUM

(Revised)

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

DATE: April 8, 2008

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

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

Please note any items checked.

_____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

✓ Bid waiver requiring County Manager's written recommendation

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ Housekeeping item (no policy decision required)

_____ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(O)(1)(D)
4-8-08

RESOLUTION NO. _____

RESOLUTION WAIVING FORMAL BID PROCEDURES FOR THE PURCHASE OF GOODS AND SERVICES AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO AWARD SAME, WITH AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER

WHEREAS, the County Mayor 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 interest of Miami-Dade County to waive formal bid procedures for the purchase of goods and services and to authorize the County Mayor or his designee 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
Carlos A. Gimenez
Joe A. Martinez
Dorrin 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 8th day of April, 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 with the exception of those items which the attached list specifically describes as funded or potentially funded by proceeds from the Charter County Transit System Surtax. The effectiveness of those is subject to the provisions of subsection (e) of section 29-124 of the County Code which specifies "no award shall be effective and no contractual relationship shall arise with the County unless and until approved by the [Citizens' Independent Transportation] Trust or re-affirmed by the County Commission."

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