

# Memorandum



Date: **September 9, 2008**

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

**B & F**  
Agenda Item No. 3E

From: George M. Burt  
County Manager

Subject: Approval to ~~Reject~~ all Proposals for Request For Proposals: Wireless (Cellular)  
Devices and Services – RFP No. 526

## RECOMMENDATION

It is recommended that approval be granted to reject all proposals for RFP 526, Wireless (Cellular) Devices and Services. This recommendation rescinds my earlier recommendation to award dated May 13, 2008. It is also recommended that the Board waive competitive bids and bid protest procedures and authorize competitive negotiations between both responsive proposers, New Cingular Wireless National Accounts, LLC; now AT&T Mobility National Accounts, LLC; and Sprint Solutions, Inc. (Sprint).

RFP NO: RFP 526

RFP TITLE: Wireless (Cellular) Devices and Services

### DESCRIPTION:

Enterprise Technology Services Department is seeking to enter into an agreement with a responsive and responsible firm to provide wireless cellular devices and services to the County. This will provide the County with a single vendor contract for all wireless cellular devices and services. The contract will also provide the County with a strategic partner during declared County emergencies to assist with maintaining and/or restoring network coverage through coordinated project planning. It is anticipated that this contract will improve the County's reporting capability and monitoring of wireless cellular spending.

### PROJECT MANAGER:

James D. Munn, Jr., IT Contracts & Procurement Officer  
Department of Procurement Management

John Concepcion, Telecommunications Division Director  
Miami-Dade Enterprise Technology Services Department

### APPROVAL TO ADVERTISE:

September 15, 2006

### TERM:

Two year initial term, with eight, one-year options-to-renew at the County's sole discretion

### COST ESTIMATE:

\$9,177,078 for the initial contract term of two years

### FUNDING SOURCE:

Internal Service Charges

### METHOD OF AWARD:

An open competitive Request for Proposals process was used.

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CLERK OF THE BOARD  
MIAMI-DADE COUNTY FLA.  
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VENDORS NOT RECOMMENDED  
FOR AWARD:

AT&T Mobility National Accounts, LLC, formerly  
New Cingular Wireless National Accounts, LLC  
7855 Walker Drive, 1<sup>st</sup> Floor  
Greenbelt, MD 20270  
Cathy Prior, Director, Contracts  
(Non-Local Vendor)

Sprint Solutions, Inc.  
2001 Edmund Halley Drive  
Reston, VA 20191  
H. Leon Frazier, Senior VP, Enterprise & Public Sector  
(Non-Local Vendor)

Verizon Wireless Personal Communications LP  
d/b/a Verizon Wireless  
6161 Blue Lagoon Drive #160  
Miami, FL 33126  
Jack Plating, President – South Area  
(Local Vendor)

USING/MANAGING AGENCY:

Enterprise Technology Services Department

CONTRACT MEASURES:

A Small Business Enterprise Preference was applied to the solicitation but did not affect the outcome of the award.

LIVING WAGE:

Not Applicable

USER ACCESS PROGRAM:

The contract includes the 2% User Access Program provision. The program discount will be collected with the provision that the County will exempt any fees that are based on FCC mandate and are pass-through charges.

LOCAL PREFERENCE:

Applied in accordance with the applicable ordinances but did not affect the outcome.

ESTIMATED CONTRACT  
COMMENCEMENT DATE:

Not Applicable

**BACKGROUND**

The County issued RFP No. 526 under full and open competition on September 15, 2006, for Wireless (Cellular) Devices and Services for the Enterprise Technology Services Department. This solicitation was structured to establish a contract with a single service provider for deployment of wireless cellular devices and services. The contract would provide the County with a strategic partner during declared County emergencies to assist with maintaining and/or restoring network coverage through coordinated

project planning. It was also anticipated that this contract would improve the County's reporting capability and monitoring of wireless cellular spending.

The solicitation was advertised on September 15, 2006, and the Pre-Proposal Conference was held on September 29, 2006. Addendums were posted to address questions submitted as a result of the Pre-Proposal Conference. The solicitation was opened on November 3, 2006, and three proposals were received. The proposers were New Cingular Wireless National Accounts, LLC; now AT&T Mobility National Accounts, LLC; Sprint Solutions, Inc. (Sprint), and Verizon Wireless Personal Communications, LP.

The response provided by Verizon Wireless suggested that the County access contracts by the State of Florida, for voice and data services. The Verizon proposal was deemed non-responsive as it failed to address minimum County requirements of the Request for Proposals. This non-responsive determination was reviewed and approved by the County Attorney's Office.

Proposals were presented to the Selection Committee for consideration on November 20, 2006. The Selection Committee evaluated the proposals by following the procedures of an open and competitive process. AT&T Mobility and Sprint were invited to make oral presentations to the Selection Committee. Following these presentations and based on final committee scoring, Sprint Solutions, the highest ranked proposer (by one point) was invited to negotiate. During negotiations, staff confirmed that Sprint was not fully compliant with Wireless Priority Services (WPS), a minimum qualification of the RFP. WPS is an essential back-up component for communications in response to declared emergency events. The County's Negotiations Team confirmed that Sprint was not fully capable of providing WPS at the time of proposal submission. Based on this finding, negotiations with Sprint were terminated and negotiations were initiated with AT&T Mobility (Cingular). This course of action was also reviewed by the County Attorney's Office.

Subsequent to the negotiations which resulted in an executed contract with AT&T Mobility (Cingular), staff met with AT&T Mobility and Sprint representatives to verify their proposals were still valid and relevant given the length of time that passed since the original submission. Based upon the information received during these meetings, and market research, the following changes have taken place:

- WPS is fully deployed by both vendors now.
- Both companies have been through acquisitions that have altered their structure.
- Technology changes require a re-refresh of hardware.
- Other competitive pricing plans have been offered in the marketplace this year.

Additionally the County has identified that the following issues have resulted in changes from the original RFP scope:

- Implementation of the County's Emergency Notification System has resulted in a change in the text messaging requirements of the County.
- Improved billing controls and reporting may result in a need to re-evaluate the number of minutes and units required

Based on the above, and the one-point differential between the two vendors on the final evaluation ranking, it is recommended that all proposals received for RFP No. 526 be rejected. It is also

Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners  
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recommended that the Board waive the competitive bidding and bid protest procedures and authorize competitive negotiations between both responsive proposers, New Cingular Wireless National Accounts, LLC; now AT&T Mobility National Accounts, LLC; and Sprint Solutions, Inc.



Assistant County Manager



**MEMORANDUM**  
(Revised)

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

**DATE:** October 7, 2008

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

**SUBJECT:** Agenda Item No.

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

Agenda Item No.

Veto \_\_\_\_\_

Override \_\_\_\_\_

RESOLUTION NO.

**RESOLUTION WAIVING THE REQUIREMENTS OF SECTION 2-8.4 OF THE MIAMI-DADE COUNTY CODE PERTAINING TO BID PROTEST PROCEDURES BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; REJECTING ALL PROPOSALS RECEIVED IN RESPONSE TO REQUEST FOR PROPOSALS NO. 526 FOR WIRELESS (CELLULAR) DEVICES AND SERVICES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR DESIGNEE TO BEGIN COMPETITIVE NEGOTIATIONS BETWEEN BOTH RESPONSIVE PROPOSERS, AT&T MOBILITY NATIONAL ACCOUNTS, LLC (AT&T), FORMERLY NEW CINGULAR WIRELESS NATIONAL ACCOUNTS, LLC, AND SPRINT SOLUTIONS, INC. (SPRINT)**

**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:**

**Section 1.** This Board finds that it is in the best interest of the County to waive the requirements of Section 2-8.4 of the Miami-Dade County Code pertaining to bid protest procedures pursuant by a two-thirds (2/3s) vote of the Board members present.

**Section 2.** This Board approves the rejection of all proposals received in response to Request for Proposals No. 526 Wireless (Cellular) Devices and Services.

**Section 3.** This Board authorizes the County Mayor or County Mayor designee to begin competitive negotiations between both responsive proposers, AT&T Mobility National Accounts, LLC (AT&T), formerly New Cingular Wireless National Accounts, LLC, and Sprint Solutions, Inc. (SPRINT).

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
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this  
7<sup>th</sup> day of October, 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.

