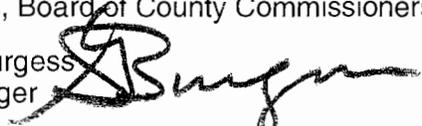


# Memorandum



**Date:** November 4, 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

B & F  
Agenda Item No. 3G

## 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 utilization. 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 County Mayor's designee will have the authority to exercise in their discretion subsequent options-to-renew and 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: Airport and Noise Operations Management System (ANOMS) and Maintenance** is to approve award of a sole source contract for the Miami-Dade Aviation Department to purchase maintenance, replacement parts and services for the existing airport noise and operation management system at Miami International Airport. The amount being requested is **\$759,525**.

## **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: Micro Air Vehicle (MAV)** is to approve the award of a bid waiver contract for the Miami-Dade Police Department to purchase one and lease one MAV for the department's Special Response Team. The amount being requested is **\$150,000**.

## **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.

**Item 4.1: Animal Food for Metro Zoo** is for additional spending authority to allow the Miami-Dade Park and Recreation Department to continue purchase of specialty food/feed for the animal collection at Metro Zoo. The additional amount being requested is **\$540,000**.

## **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.

  
Assistant County Manager



# MEMORANDUM

(Revised)

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

DATE: December 2, 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 FORMAL BID PROCEDURES FOR THE PURCHASE OF GOODS AND SERVICES AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO AWARD SAME, WITH AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER

**WHEREAS**, the County Mayor or County Mayor's designee 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 County Mayor's 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	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	

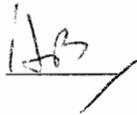
The Chairperson thereupon declared the resolution duly passed and adopted this 2<sup>nd</sup> day of December, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

**SECTION #1**  
**SOLE SOURCE**

**Item 1.1**

**Contract No:** SS7293-0/13

**Contract Title:** **Airport Noise and Operations Monitoring System (ANOMS) Maintenance**

**Description:** Requesting waiver of formal bid procedures and approval of award of a sole source contract for the Miami-Dade Aviation Department (MDAD) to purchase maintenance, replacement parts and services for the existing Airport Noise and Operation Management System (ANOMS) at Miami International Airport.

**Contract Term:** **Five years**

**Managing Agency/Funding Source:** Aviation – Operating Revenue

**Contract Amount:** **\$759,525**

**Previous Contract Allocation:** 786,500 for five years

**Method of Award:** Sole Source

**Vendor:** •Lochard Corporation  
(Non-local vendor)

**Address** 39 Pleasant Street  
Stoneham, MA 02180

**Principal** Robert Brodecky

**Performance Data:** There are no performance issues with this firm.

**Compliance Data:** There are no compliance issues with this firm.

**Contract Measure:** No measure

**Review Committee Date:** September 17, 2008; Item #2-01

**Local Preference:** Not applicable

**Living Wage:** Not applicable

**User Access Program:** This contract does not include the 2% User Access Program (UAP) provision as the MDAD is the only department accessing the contract. Federal Aviation Administration regulations do not allow for inclusion of the UAP.

**Contract Managers:** Leonard Gonzalez, Department of Procurement Management  
Norman Hegedus, Miami-Dade Aviation Department

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

**JUSTIFICATION**

Miami Dade Aviation Department (MDAD) owns an Airport Noise and Operation Management System (ANOMS). This system was purchased in 1998 and is used to determine the impact aircraft noise has on the communities surrounding Miami International Airport (MIA) and general aviation airports. The system also gathers and processes flight related data, identifies the type of aircraft creating the noise, and shows the flight paths and altitudes of the aircraft. MDAD's Noise Abatement and Environmental Planning Division utilizes ANOMS on a daily basis.

Continuity of this service agreement with Lochard is necessary to maintain and support the system. Lochard has proprietary rights to the license and source codes, and is the system integrator and developer. Market research has shown that there is currently no other company with the knowledge or access to the source code that can perform the required maintenance and support.

The vendor is in the process of upgrading the current system, ANOMS 6, to the new version ANOMS 8. This upgrade includes replacing the software and hardware. The contract allows for maintenance support of the current ANOMS 6 and for maintenance support of ANOMS 8 once the software upgrade is complete.

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**SECTION #2**  
**BID WAIVER**

**Item 2.1**

**Contract No:** BW8742-3/12

**Contract Title:** **Micro Air Vehicle (MAV)**

**Description:** Requesting waiver of formal bid procedures and approval of award of a bid waiver contract for the Miami-Dade Police Department (MDPD) for the purchase of one Micro Air Vehicle (MAV) and lease of another MAV for the MDPD's Special Response Team.

**Contract Term:** **One year (December 15, 2008 to December 14, 2009)**  
With three, one-year options-to-renew

**Managing Agency/Funding Source:** MDPD – Federal Grant

**Contract Amount:** **\$150,000 for one year**

**Previous Contract Allocation:** No previous contract

**Method of Award:** Sole Source

**Vendor:** •Honeywell International, Inc.  
(Non-local vendor)

**Address** 9201 San Mateo Blvd. NE  
Albuquerque, NM 87113

**Principal** Curtis Scholtz

**Performance Data:** There are no performance issues with this firm.

**Compliance Data:** There are no compliance issues with this firm.

**Contract Measure:** No measure

**Review Committee Date:** July 9, 2008; Item #5-04

**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:** Aylin Borrego, Department of Procurement Management  
Laura Romano, Miami-Dade Police Department

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

**JUSTIFICATION**

The Miami-Dade Police Department (MDPD) is requesting a bid waiver contract to attain two (one for purchase and another for lease) remote controlled Micro Air Vehicles (MAV) for the MDPD's Special Response Team (SRT). MDPD has been selected by the United States Department of Justice (US DOJ), in partnership with Federal Aviation Administration (FAA), to participate in a test opportunity. The County has been awarded a federal grant to secure MAVs and its necessary equipment, one portable ground station, and associated ground support equipment to conduct this test.

These vehicles will be utilized for intelligence gathering, strategic decision making and to minimize risk to officer safety. The MAV is an unmanned aircraft maneuvered by a portable ground station used by the military. Currently, these aircraft are authorized for use only by the U.S. Department of Defense and not in the national air space. The County is now being granted this authority through this contract. The FAA has been interested in testing this aircraft for use by non-military law enforcement and has partnered with the US DOJ to select certain local agencies to participate in such a test. This test would determine the policies, requirements, and other mandates by the FAA regarding the use of these vehicles once testing is completed.

The Honeywell MAV unit has operational history, specifically with the U.S. Department of Defense, both the Army and Navy. The Honeywell MAV was identified as the selected aircraft to be used for testing in the DOJ grant. This MAV can only be purchased from Honeywell.

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**SECTION #4**  
**NON-COMPETITIVE CONTRACT MODIFICATIONS**

**Item 4.1**

**Contract No:** BW7801-2/08-2

**Contract Title:** **Animal Food for Metro Zoo**

**Description:** Request for modification of this contract for additional spending authority to allow the Miami-Dade Park and Recreation Department (MDPR) to continue purchase of specialty food/feed for the animal collection at Metro Zoo.

**Type of Change:** Additional spending authority

**Existing Allocation:** \$ 960,000 for 24 months

**Increase By/Managing Agency/Funding Source:** \$ 540,000 for MDPR – General Fund

**Total:** **\$1,500,000**

**Current Expiration:** December 12, 2008

**Modified Expiration:** Unchanged

<b>Vendors:</b>	<b>Address</b>	<b>Principal</b>
•Marlene M. Huber (Local vendor)	22000 S.W. 258 <sup>th</sup> Street Homestead, Fl 33030	Marlene Huber
•Harlan Sprague Dawley, Inc. (Non-local vendor)	P.O. Box 44220 Madison, WA 53744	Roberta I. Westphal
•HMS Zoo Diets, Inc. (Non-local vendor)	1222 Echo Lane Bluffton, IN	A.J. Higgenbottom
•James Craig Goetz (Non-local vendor)	2003 E. Center Circle Plymouth, MN 55441	Sonia R Goetz
•Animal Spectrum, Inc. (Non-local vendor)	PO Box 721 North Platte, NE 69103	Jack Bond
•Prawn Seafoods, Inc. (Local vendor)	6894 N.W. 32 <sup>nd</sup> Avenue Miami, FL 33147	Jeffery Wine
•Robbie's Feed & Supply, Inc. (Local vendor)	22390 S.W. 177 <sup>th</sup> Avenue Miami, FL 33170	Robbie J. Addison
•OK Feed & Supply, Inc (Local vendor)	22801 S.W. 177 <sup>th</sup> Avenue Miami, FL 33170	Debra Butt
•Fluker Farms, Inc. (Non-local vendor)	1333 Plantation Avenue Port Allen, LA 70791	Dianne Fluker

•Sysco Food Services of South  
Florida, Inc.  
(Local vendor)

12500 Sysco Way  
Medley, FL 33178

Damon M. Rabin

•Dallas Crown, Inc.  
(Non-local vendor)

2000 W. Fair  
Kaufman, TX 75142

Christopher Soenen

**Performance Data:** There are no performance issues with any of the 11 firms.

**Compliance Data:** There are no compliance issues with any of the 11 firms.

**Contract Measure:** No measure

**Review Committee Date:** August 11, 2004; Item #2-09

**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 is being collected on all purchases.

**Contract Managers:** Leonard Gonzalez, Department of Procurement Management  
Carol Kruse, Miami-Dade Park and Recreation Department

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

**REASON FOR CHANGE**

Authorization is requested for additional spending authority to allow the Miami-Dade Park and Recreation Department (MDPR) to continue purchase of specialty food/feed for the animal collection at Metro Zoo.

The new "Amazon and Beyond" exhibit is expected to increase the animal collection at Metro Zoo by approximately 600 animals. The current allocation of \$960,000 will not cover the needs of the current animal collection and the anticipated increase. Many of the animals in the collection are new species that the veterinary staff will evaluate to determine an optimal diet. There are plans to significantly augment the snake and fish collection. This will result in increased purchases of rodents, fish foods, earthworms and night crawlers. The veterinary staff will need the flexibility to purchase new food items that may be necessary for dietary changes due to health issues and/or the caring of newborn animals.

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