Memorandum

MIAMI-DADE COUNTY

Date:	December 2, 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)(C)

This package, listed as Agenda Item No. 3(G) on the November 4, 2008 Budget and Finance Committee meeting agenda, was amended to remove Item 2.1: Micro Air Vehicle (MAV).

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.

There are no items for this section.

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

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:	**Address**	**Principal**
•Lochard Corporation (Non-local vendor)	39 Pleasant Street Stoneham, MA 02180	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

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.

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

Vendors:	**Address**	**Principal**
•Marlene M. Huber (Local vendor)	22000 S.W. 258th 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. 32nd Avenue Miami, FL 33147	Jeffery Wine
•Robbie's Feed & Supply, Inc. (Local vendor)	22390 S.W. 177th Avenue Miami, FL 33170	Robbie J. Addison
•OK Feed & Supply, Inc (Local vendor)	22801 S.W. 177th 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.

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. 8(O)(1)(C)

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)(C)
12-2-08

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 2nd 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