Memorandum

MIAMI-DADE COUNTY

Date: May 5, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

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

From: George M. Burgess
County Manager

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

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Recommendation

It is recommended that the Board of County Commissioners delegate to the County Mayor or County Mayor's designee the authority to exercise, in his discretion, the Options-to-Renew (OTRs) set forth in this item. Ordinance #07-139 provides for committee review exemption. ***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 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 approved in their Resource Allocation Plan adopted annually by the Board.***

Track Record/Monitor

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

Delegated Authority

If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise OTRs in accordance with the terms and conditions of the contracts listed in the accompanying package.

Background

The competitively bid contracts listed in this item require approval to exercise OTRs contained in each contract that would, if exercised, bring the cumulative value of the contract over $1 million. Each of the contracts were awarded under the County Mayor or County Mayor's designee's delegated authority ($1 million for competitive procurements) pursuant to Section 2-8.1(b) of the County Code and the Master Procurement Administrative Order, A.O. 3-38.

Prior to exercising any Options-to-Renew (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 governmental entity practices, industry trends, support and capabilities. The OTRs for each contract in this package will be executed if determined to be in the best interest of the County.

On August 11, 2008, the Board was informed that, prospectively, Board approval would be sought when awarding contracts exceeding $1 million in value if the OTRs are exercised. The contracts listed in the package were awarded prior to that date.

Item No. 1: Urine Sample Pickup, Testing and Reporting seeks authority to exercise the two remaining OTR periods for a contract to provide urine sample pickup, testing and reporting services for the Department of Human Services. The amount being requested for the two remaining option terms is **$844,846.**

Item No. 2: Disposal of Bio-hazardous Waste seeks authority to exercise the two remaining OTR periods for a contract to remove and dispose of bio-hazardous waste for various County departments. The amount being requested for the two remaining option terms is **$568,000.**

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: May 5, 2009

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

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

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 Mayor'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)(J)
5-5-09

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR COMPETITIVELY BID CONTRACTS AWARDED UNDER THE COUNTY MAYOR OR COUNTY MAYOR DESIGNEE'S DELEGATED AUTHORITY FOR THE PURCHASE OF GOODS AND SERVICES

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 or the County Mayor's designee 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 County Mayor's 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:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of May, 2009. 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

Approved by County Attorney as
to form and legal sufficiency._____

By:_____
Deputy Clerk

Hugo Benitez

Item No. 1

Contract No.: 1981-4/11-2

Contract Title: **Urine Sample Pickup, Testing and Reporting**

Description: It is recommended that the Board authorize the County Mayor or County Mayor's designee, to exercise the two remaining Option-to-Renew (OTR) periods for a contract to provide urine sample pickup, testing and reporting services for the Department of Human Services. This contract is in the second OTR period which expires on May 31, 2009.

This contract was awarded on May 10, 2006 for a one-year period, with four, one-year OTRs with an allocation of $222,423. The first OTR period was executed with an allocation of $222,423. During the first OTR period, a modification was issued totaling $200,000. This increased the total contract value to $644,846. Because of this modification, the execution of the second OTR would bring the cumulative value of the contract over $1 million. On April 22, 2008, authorization was requested from the Board to exercise the remaining OTR periods. At that meeting the Board only authorized the approval of the second OTR period. This request to exercise the remaining options-to-renew is being presented less than 30 days before the expiration date of the contract because it was discovered that all of the remaining options-to-renew were not approved on April 22, 2008 after the deadline to submit the item for the previous agenda.

Initial Contract Term and Usage:	June 14, 2006 to May 31, 2007	$ 222,423
First OTR and Usage:	**June 1, 2007 to May 31, 2008	$ 422,423*
Second OTR and Estimated Usage:	**June 1, 2008 to May 31, 2009	$ 422,423
Third OTR and Estimated Usage:	**June 1, 2009 to May 31, 2010	$ 422,423
Fourth OTR and Estimated Usage:	**June 1, 2010 to May 31, 2011	$ 422,423
Cumulative Value:		$1,912,115

*Includes a modification for $200,000.

**The starting date for all the OTR periods is being revised to coincide with the first day of the month. This will enhance workload management efficiency.

Future OTRs may include Consumer Price Index adjustment(s) as noted in the terms and conditions of the contract.

Contract Measure: Small Business Enterprise Bid Preference applies to all purchases that are not federally funded.

Review Committee Date:	July 6, 2005; Item #6-03
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% program discount is being collected on all purchases where permitted by the funding source.

Vendor:	**Address**	**Principal**
•Center for Disease Detection (Non-local vendor)	3370 Nacogdoches Road Suite #100 San Antonio, TX 78217-3371	Georgia S. Hutnyak

Performance Data:	There are no performance issues with this firm.
Compliance Data:	There are no compliance issues with this firm.
Contract Managers:	Michael Laughlin, Department of Procurement Management Gale Glass-Aldrich, Department of Human Services

JUSTIFICATION

This contract provides for purchase of urine sample pick-up, testing and reporting services for the Department of Human Services. The awarded vendor provides routine pick of urine samples from eight County facilities, completes all testing and issues final reports within 24 hours from the time samples are collected.

Market research indicates that the contract prices are 32% lower than market pricing. It is therefore in the County's best interest to exercise the option-to-renew periods.

This request to exercise the remaining options-to-renew is being presented less than 30 days before the expiration date of the contract because it was discovered that all of the remaining options-to-renew were not approved on April 22, 2008 after the deadline to submit the item for the previous agenda.

Item No. 2

Contract No.:	6970-4/11-2
Contract Title:	**Disposal of Bio-hazardous Waste**
Description:	It is recommended that the Board authorize the County Mayor or County Mayor's designee, to exercise the two remaining Option-to-Renew (OTR) periods for a contract to remove and dispose bio-hazardous waste for various County departments. This contract is in the second OTR period which expires on May 31, 2009. Exercising the two remaining OTRs will bring the cumulative value over $1 million.

Initial Contract Term and Usage:	June 1, 2006 to May 31, 2007	$ 284,000
First OTR and Usage:	June 1, 2007 to May 31, 2008	$ 284,000
Second OTR and Estimated Usage:	June 1, 2008 to May 31, 2009	$ 284,000
Third OTR and Estimated Usage:	June 1, 2009 to May 31, 2010	$ 284,000
Fourth OTR and Estimated Usage:	June 1, 2010 to May 31, 2011	$ 284,000
Cumulative Value:		$1,420,000

Future OTRs may include Consumer Price Index adjustment(s) as noted in the terms and conditions of the contract.

Contract Measure:	Small Business Enterprise Bid Preference applies to all purchases that are not federally funded.
Review Committee Date and Item No.:	May 25, 2005; Item #6-12
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% program discount is being collected on all purchases where permitted by the funding source.

Vendor:	**Address**	**Principal**
•Healthcare Waste Solutions of Florida LLC (Local vendor)	3773 N.W. 16th Street Ft. Lauderdale, FL 33311	Rafael L. Aguilar

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

Contract Managers: Herman Ramsey, Department of Procurement Management

This contract includes allocations for nine departments. Each department has designated a contract manager.

JUSTIFICATION

This contract is utilized by nine departments to remove and dispose of bio-hazardous waste throughout the County. Market Research indicates that the current contract pricing is 8% lower than current market pricing. It is therefore in the best interest of the County to exercise the option-to-renew periods. This request to exercise the remaining options-to-renew is being presented less than 30 days before the expiration date of the contract because additional market research was required prior to recommending the exercise of the remaining OTRs.