

Memorandum



Date: November 17, 2009

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

Agenda Item No.8(0)(1)(C)

From: Carlos Alvarez
Mayor

George M. Burgess
County Manager

Subject: Resolution Requesting Authority to Exercise Option-to-Renew Periods Under Existing Non-Competitive Contracts

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/or 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

Funding will be expended only if departmental budgets can support the expenditures as 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 OTR package. 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 non-competitive 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 \$100,000. Each of the contracts were awarded under the County Mayor or County Mayor's designee's delegated authority (\$100,000 for non-competitive procurements) pursuant to Section 2-8.1(b) of the County Code and the Master Procurement Administrative Order, A.O. 3-38. Item 2 was previously adopted by the Board via Resolution R-1031-08.

Prior to exercising any Options-to-Renew (OTR) periods, market research is conducted to ensure 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.

Item No. 1: Waukesha Engine Parts and Services seeks authority to exercise the second OTR period for original equipment manufacturer parts and services for the Miami-Dade Water and Sewer Department. The amount being requested for the second option term is **\$80,000**.

Item No. 2: Legal Research Services seeks authority to exercise the second OTR period for legal research services for the Miami-Dade Corrections and Rehabilitation Department. The amount being requested for the second option term is **\$215,000**.

Item No. 3: Levi, Ray & Shoup Software Maintenance and Support Services seeks authority to exercise the second OTR period for software maintenance and support services to the Levi, Ray and Shoup (LRS) software for the Enterprise Technology Services Department. The amount being requested for the second option term is **\$45,000**.

Item No. 4: Infor Global Software Maintenance and Support Service seeks authority to exercise the second OTR period for software maintenance and support services to the Infor Millennium Software for the Miami-Dade Aviation Department. The amount being requested for the second option term is **\$46,000**.


Assistant County Manager



MEMORANDUM
(Revised)

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

DATE: November 17, 2009

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

SUBJECT: Agenda Item No. 8(0)(1)(C)

Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's , 3/5's , unanimous) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

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

Veto _____

11-17-09

Override _____

RESOLUTION NO. _____

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES FOR THE PURCHASE OF GOODS AND SERVICES, AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S 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 waives formal bid procedures for the purchase of goods and services, and authorizes the County Mayor or County Mayor's designee to award such contracts, with authority to exercise options-to-renew established thereunder, pursuant to Section 5.03(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:

- | | |
|----------------------|---------------------------------|
| | 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 17th day of November, 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

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

HB

Hugo Benitez

Item No. 1

Contract No.: BW7625-4/12-1

Contract Title: **Waukesha Engine Parts and Service**

Description: It is recommended that the Board authorize the County Mayor or County Mayor's designee to exercise the second Option-to-Renew (OTR) period to purchase original equipment manufacturer parts and services for 18 Waukesha engines. The contract is in its first OTR period which expires on January 31, 2010. The Board of County Commissioners authorized the first OTR period via Resolution No. R-1031-08 adopted on October 7, 2008. Exercising the second OTR will bring the cumulative value of the contract to \$240,000.

Initial Contract Term and Estimated Usage:	February 1, 2008 to January 31, 2009	\$ 80,000
First OTR and Estimated Usage:	February 1, 2009 to January 31, 2010	\$ 80,000
Second OTR and Estimated Usage:	February 1, 2010 to January 31, 2011	<u>\$ 80,000</u>
Cumulative Value:		\$240,000

Allocation, Managing Agency and Funding Source:	<u>Allocation</u>	<u>Department</u>	<u>Funding Source</u>
	\$80,000	WASD	Proprietary Funds

Total: \$80,000 for one year

Contract Measure: No measure – Bid Waiver

Review Committee Date: November 2, 2007; Item #2-06

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 is being collected on all purchases.

Vendor:	Address	Principal
•Reagan Equipment Co., Inc. (Local vendor)	3100 Gateway Drive Pompano Beach, FL 33069	John J. Farrell

Performance Data: There are no performance issues with the awarded firm.

Compliance Data: There are no compliance issues with the awarded firm.

Contract Managers: Leonard Gonzalez, Department of Procurement Management
Dean R. Mealy, Water and Sewer Department

JUSTIFICATION

This contract is for purchase of original equipment manufacturer (OEM) parts, maintenance and support services for 18 Waukesha engines owned by the Miami-Dade Water and Sewer Department. These engines are the only source of emergency electrical power available for well field pumps to transfer water in the event electrical power is disrupted. They are also critical to the daily operation of well fields and pump stations in order to reduce the potential for a boil-water order and/or a waste water spill when there is loss of power.

Reagan Equipment Co., Inc. is the only authorized distributor of Waukesha Engine parts and service in Florida, and is also the only vendor in Florida that can provide technicians certified by Waukesha Engines to perform maintenance services. Purchasing parts and services from Reagan Equipment Co. Inc. ensures that the OEM specifications are met and parts and repairs will be under warranty. It is therefore in the best interest of the County to exercise the second option-to-renew period.

Item No. 2

Contract No: BW8610-3/12-1

Contract Title: **Legal Research Services**

Description: It is recommended that the Board authorize the County Mayor or the County Mayor's designee to exercise the second Option-to-Renew (OTR) period to purchase legal research services for the Miami-Dade Corrections and Rehabilitation (MDCR) Department. This contract is currently in the first OTR period which expires February 28, 2010. The Board of County Commissioners authorized the first OTR period via Resolution No. R-1181-08 adopted on November 20, 2008. Exercising the second OTR will bring the cumulative value of the contract to \$645,000

Initial Contract Term and Usage:	March 1, 2008 to February 28, 2009	\$215,000*
First OTR and Estimated Usage:	March 1, 2009, to February 28, 2010	\$215,000
Second OTR and Estimate Usage:	March 1, 2010 to February 28, 2011	<u>\$215,000</u>
Cumulative Value:		\$645,000

* Includes modification of \$115,000 to expand services to three additional detention facilities.

Allocation, Managing Agency and Funding Source:

<u>Allocation</u>	<u>Department</u>	<u>Funding Source</u>
\$215,000	MDCR	General Fund

Total: \$215,000 for one year

Contract Measure: No measure – Bid Waiver

Review Committee Date: February 6, 2008; Item 2-01

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.

Vendor:	Address	Principal
•Prison Solutions Inc DBA Legal Research Associates (Non-local vendor)	3943 Ocita Drive Orlando FL 32837	Mark Cacho

Performance Data: There are no performance issues with the awarded firm.

Compliance Data: There are no compliance issues with the awarded firm.

Contract Managers Anthony O'Connor, Department of Procurement Management

Mohammed Haq, Miami-Dade Corrections and Rehabilitation Department

JUSTIFICATION

This contract enables the Miami-Dade Corrections and Rehabilitation Department to provide legal research services to the general inmate population at five detention facilities in compliance with federal law. Legal Research Associates (LRA) provides online web-based programs that support inmate access to legal information. This ensures that legal information is always current and removes the need to maintain and constantly update law libraries within facilities.

LRA is currently the only provider of this type of service. The original pilot project for this service at two facilities proved to be an efficient way of maintaining compliance with federal law while removing costs associated with vandalism and destruction of legal library materials. This online service tool is capable of supporting a large number of participants at individual confinement locations, thereby eliminating the cost of additional supervision required to transport inmates. This approach also eliminates the cost of transportation to and from law libraries and reduces risk to the public. The pilot program was expanded to three additional detention facilities during the initial term of the contract. Exercising the second option-to-renew (OTR) period will provide continuity of services and compliance with federal law. It is therefore in the best interest of the County to exercise the second OTR period.

Item No. 3

Contract No.: BW7220-4/12-1
Contract Title: **Levi, Ray & Shoup Software Maintenance and Support Services**

Description: It is recommended that the Board authorize the County Mayor or County Mayor's designee to exercise the second Option-to-Renew (OTR) periods to provide software maintenance and support services to the Levi, Ray and Shoup (LRS) software for the Enterprise Technology Services Department (ETSD). The contract is in its first OTR period, which expires November 25, 2009. The Board of County Commissioners authorized the first OTR period via Resolution No. R-757-08 adopted on July 1, 2008. Exercising the second OTR will bring the cumulative value of the contract to \$205,000.

Initial Contract Term and Usage:	November 26, 2007 to November 25, 2008	\$ 80,000
First OTR and Usage:	November 26, 2008 to November 25, 2009	\$ 80,000
Second OTR and Estimated Usage:	November 26, 2009 to November 25, 2010	<u>\$ 45,000*</u>
Cumulative Value:		\$205,000

*Option-to-Renew term values were reduced based on a negotiated amendment from a site license to usage based license structure payments.

Allocation, Managing Agency and Funding Source:	<u>Allocation</u>	<u>Department</u>	<u>Funding Source</u>
	\$45,000	ETSD	Internal Service Fund

Total: \$45,000 for one year

Contract Measure: No measure

Review Committee Date: Item #2-01, June 20, 2007

Local Preference: Not applicable

Living Wage: The Living Wage Ordinance does not apply.

User Access Program: The contract includes the User Access Program provision. The 2% program discount will be collected on each purchase where permitted by the funding source.

Vendor:

•Levi Ray & Shoup, Inc.
(Non-local vendor)

Address

2401 West Monroe
Springfield, IL 62704

Principal

Richard H. Levy

Performance Data:

There are no performance issues with the awarded firms.

Compliance Data:

There are no compliance issues with the awarded firms.

Contract Managers:

Margaret Waters, Department of Procurement Management

Mirta Lopez Cardoso, Enterprises Technology Services Department

JUSTIFICATION

This contract is utilized by the Enterprise Technology Services Department for ongoing software maintenance and technical support services for Levi, Ray and Shoup (LRS) software. The LRS software is used to streamline printing in the mainframe computer environment by efficiently routing output to the most appropriate printer or output device. Additionally, it enhances the mainframe printing system by providing a management tool which allows enhanced monitoring of print jobs, and facilitates correction of printing problems. All of the County's mainframe applications rely on this software to print jobs at remote locations throughout the County. The software maintenance and support services are proprietary to LRS. It is therefore in the best interest of the County to exercise the second OTR period to ensure continuity of services.

11

Item No. 4

Contract No.: SS6976-4/13-1

Contract Title: Infor Global Software Maintenance and Support Services

Description: It is recommended that the Board authorize the County Mayor or County Mayor's designee to exercise the second Option-to-Renew (OTR) period to provide software maintenance and support services to the Miami-Dade Aviation Department (MDAD) for Infor Global Solutions' Infor Millennium Software. The contract is in its first OTR period which expires on January 31, 2010. Exercising the second OTR period will bring the cumulative value to \$127,000.

Initial Contract Term and

Usage:	February 01, 2008 to January 31, 2009	\$ 39,000
First OTR and Estimated Usage:	February 01, 2009 to January 31, 2010	\$ 42,000
Second OTR and Estimated Usage:	February 01, 2010 to January 31, 2011	<u>\$ 46,000</u>
Cumulative Value:		\$127,000

Note: Option-to-Renew term values vary based on pre-negotiated contract rates.

Managing Agency and Funding Source:

<u>Allocation</u>	<u>Department</u>	<u>Funding Source</u>
\$46,000	MDAD	Proprietary Revenue

Total: \$46,000 for one year

Contract Measure: No measure

Review Committee Date: No applicable

Local Preference: Not applicable

Living Wage: The Living Wage Ordinance does not apply.

User Access Program: This contract does not include the User Access Program provision.

Vendor:	Address	Principal
• Infor Global Solutions, Inc. (Non-local Vendor)	66 Perimeter Center East Atlanta, GA, 30346	Bill Meer

Performance Data: There are no performance issues with the awarded firm.

12

Compliance Data: There are no compliance issues with the awarded firm.

Contract Managers: Dakota Thompson, Department of Procurement Management

Carlos Garcia, Miami-Dade Aviation Department

JUSTIFICATION

This contract provides the Miami-Dade Aviation Department (MDAD) with software maintenance and support services for the Infor Millennium Software provided by Infor Global Solutions, Inc. MDAD utilizes the Millennium Software to run many of their operating systems used to support daily operations. The software provides real time information for MDAD operations, including but not limited to, security, controlled access, airside training, employee parking decals, work orders, airside tickets, revenue accounts, accounts payable, budget and fixed assets. Ongoing maintenance and support services for the Millennium Software is proprietary to Infor Global Solutions, Inc. It is therefore in the best interest of the County to exercise the second option-to-renew.