

Memorandum



Date: December 15, 2009

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

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

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.

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: Repair and Maintenance of McQuay HVAC Equipment seeks authority to exercise the second OTR period for inspection, repair, upgrade, preventative maintenance, and emergency support services for McQuay HVAC equipment for the General Services Administration. The amount being requested for the second option term is **\$100,000**.

Item No. 2: Scale House Upgrade seeks authority to exercise the remaining OTR period for software maintenance and support services for the Scale House system for the Miami-Dade Solid Waste Management Department. The amount being requested for the remaining option term is **\$98,000**.


Assistant County Manager



MEMORANDUM

(Revised)

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

DATE: December 15, 2009

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

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

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)(B)

Veto _____

12-15-09

Override _____

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR NON-COMPETITIVE CONTRACTS AWARDED UNDER THE COUNTY MAYOR OR THE 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 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 the 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 |
| Dorin D. Rolle | Natacha Seijas |
| Katy Sorenson | Rebeca Sosa |
| Sen. Javier D. Souto | |

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of December, 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: SS8451-4/12-1

Contract Title: Repair and Maintenance of McQuay HVAC Equipment

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) for the inspection, repair, upgrade, preventative maintenance, and emergency support services for McQuay air conditioning units and related controls installed at the Lightspeed Building managed by the General Services Administration (GSA). This contract is currently in the first OTR which expires March 2, 2010. The Board of County Commissioners authorized the first OTR period via Resolution No. R-115-09 adopted on February 17, 2009. Exercising the second OTR will bring the cumulative value of the contract to \$300,000.

Initial Contract Term and Usage:	March 3, 2008 to March 2, 2009	\$100,000
First OTR and Estimated Usage:	March 3, 2009, to March 2, 2010	\$100,000
Second OTR and Estimate Usage:	March 3, 2010 to March 2, 2011	<u>\$100,000</u>
Cumulative Value:		\$300,000

Allocation, Managing Agency and Funding Source:	<u>Allocation</u>	<u>Department</u>	<u>Funding Source</u>
	\$100,000	GSA	Internal Services Fund

Contract Measure: No measure – Sole Source

Review Committee Date: August 29, 2007; Item 2-01

Local Preference: The Local Preference was applied in accordance with the Ordinance and did not affect outcome.

Living Wage: The services being provided are not covered under the Living Wage Ordinance.

User Access Program: The User Access Program provision will apply. The 2% program discount is being collected on all purchases where permitted by the funding source.

6

Vendor: AAF McQuay, Inc. (Local vendor)	Address 3540 W. Prospect Road, #201 Ft. Lauderdale FL 33309	Principal Richard Grenz
Performance Data:	There are no performance issues with the awarded firm.	
Compliance Data:	There are no compliance issues with the awarded firm.	
Contract Managers	Juan Silva, General Services Administration Janice Walters, Department of Procurement Management	

JUSTIFICATION

This contract allows General Services Administration to continue to purchase inspection, repair, upgrade, preventative maintenance, and emergency support services for McQuay air conditioning units and related controls installed at the Lightspeed Building.

The Lightspeed Building has 20 McQuay air handlers ranging from 70 to 135 tons each. These air handlers require evaluation, repair, and/or upgrade to facilitate proper function. Each of the McQuay units has a microprocessor controller used for proper operation of the units that interacts with the building's control systems. Assessment, repair and upgrade of these units is currently being performed by McQuay Factory Service Technicians. This work is ongoing, and is required to facilitate the completion of the 911 fire/police dispatch operations phase for the Integrated Command Facility to be housed at the Lightspeed Building.

AAF McQuay Inc., the manufacturer, has qualified staff that has system knowledge and experience, and are experienced with the performance issues and maintenance of the McQuay units. It is therefore in the County's best interest to exercise the remaining option-to-renew.

7

Item No. 2

Contract No.: BW8675-1/12

Contract Title: Scale House Upgrade

Description: It is recommended that the Board authorize the County Mayor or County Mayor's designee to exercise the remaining Option-to-Renew (OTR) period to provide software maintenance and support services for the Scale House system for the Solid Waste Management Department (SWM). This contract provides SWM with the ability to automate scale house operations. The automated scale house operations provide accuracy and efficiency to eliminate the need for manual weighing of materials. The contract is in its initial term which expires on January 27, 2010. Exercising the remaining OTR will bring the cumulative value of the contract over \$100,000.

Initial Contract Term and Usage: June 25, 2008 to January 27, 2010 \$100,000

First OTR and Estimated Usage: January 28, 2010 to January 27, 2011 \$ 98,000

Cumulative Value: \$198,000

Allocation, Managing Agency and Funding Source:	<u>Allocation</u> \$98,000	<u>Department</u> Solid Waste	<u>Funding Source</u> Proprietary
--	--------------------------------------	---	---

Contract Measure: No measures – Bid Waiver

Review Committee Date: January 9, 2008; Item # 2-05

Local Preference: Applied in accordance with the Local Preference Ordinance and did not affect outcome.

Living Wage: The services being provided are not covered under the Living Wage Ordinance.

User Access Program: The User Access Program provision will apply. The 2% program discount is being collected on all purchases where permitted by the funding source.

Vendor: •Paradigm Software LLC (Non-local vendor)	Address 10944 Beaver Dam Road Suite C Hunt Valley, MD 21030	Principal Jackie Barlow
--	---	-----------------------------------

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

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

Contract Managers: Adil Khan, Department of Procurement Management
Chris Rose, Solid Waste Management Department

JUSTIFICATION

Authorization is requested to exercise the remaining option-to-renew (OTR) period to provide the Solid Waste Management Department (SWMD) with continuity of scale house services. During the initial term of the contract, two landfill facilities were upgraded to unmanned scale houses. The Department needs to upgrade the South-Dade Landfill location to an unmanned automated scale house facility. Upgrading the facility to an "unmanned" scale house system is needed to improve the accuracy and efficiency of the scale house operations. This contract provides SWMD with the ability to acquire the services of Paradigm Software LLC (Paradigm) to maintain the existing scale house system (System). The System is proprietary to Paradigm, and was acquired by the County in 2005. Paradigm has the capability to upgrade and automate the existing scale house system at the South-Dade Landfill facility with minimal impact to SWM operations. SWM also requires maintenance and support services, which can only be provided by Paradigm, for the uninterrupted operations of the scale houses.

It is recommended that the remaining OTR period be approved to upgrade the South-Dade landfill facility and to provide continuity of services for the scale house system. It is therefore in the County's best interest to exercise the remaining OTR.