

# Memorandum



January 21, 2010

**Date:**

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

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

**From:** George M. Burgess  
County Manager

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of the 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

## **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 item 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 approved in their Resource Allocation Plan adopted annually by the Board.***

## **Track Record/Monitor**

There are no known performance issues with the vendor recommended for award in the accompanying agenda item. The 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 contract listed in the accompanying package.

## **Background**

The competitively bid contract listed in this item requires approval to exercise OTRs contained in the contract that would, if exercised, bring the cumulative value of the contract over \$1 million. This contract was 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.

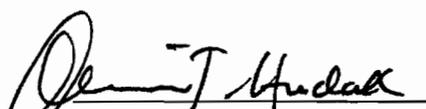
**On August 11, 2008, the Board was informed that, prospectively, Board approval would be sought when awarding contracts exceeding \$1 million in value if the OTRs are exercised. All the contracts in this package were awarded prior to that date.**

Prior to exercising any Options-to-Renew (OTR) periods, market research is conducted to ensure that continuing to purchase from the awarded vendor 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: Hand Tools & Storage Boxes** seeks authority to exercise the fourth OTR period for purchase of hand tools and storage boxes for various County departments. The amount being requested for the fourth option term is **\$481,000**.

**Item No. 2: Water and Sewer Department Rate and Fees Analysis** seeks authority to exercise the first OTR period to procure implementation assistance and related services in regard to rate and fee analyses for the Water and Sewer Department. The amount being requested for the first option term is **\$150,000**.

**Item No. 3: Title Company Services** seeks authority to exercise the first OTR period to procure title company services for various County departments. The amount being requested for the first option term is **\$244,000**.

  
Assistant County Manager



# MEMORANDUM

(Revised)

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

DATE: January 21, 2010

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

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

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  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(O)(1)(D)  
1-21-2010

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR COMPETITIVE CONTRACTS AWARDED UNDER THE COUNTY MAYOR OR THE COUNTY MAYOR DESIGNEE'S DELEGATED AUTHORITY FOR THE PURCHASE OF GOODS AND SERVICES AND AUTHORIZES THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS 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:

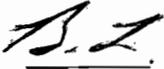
Dennis C. Moss, Chairman	
Jose "Pepe" Diaz, Vice-Chairman	
Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 21<sup>st</sup> day of January, 2010. This resolution shall become effective as follows: (1) 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, and (2) either i) the Citizens' Independent Transportation Trust (CITT) has approved same, or ii) in response to the CITT's disapproval, the County Commission re-affirms its award by two-thirds (2/3) vote of the Commission's membership and such reaffirmation becomes final.

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

Bruce Libhaber

**Item 1****Contract No.:** 5772-4/10-3**Contract Title:** **Hand Tools & Storage Boxes**

**Description:** It is recommended that the Board authorize the County Mayor or the County Mayor's designee to exercise the remaining Option-to-Renew (OTR) to purchase hand tools and storage boxes for various County departments. The contract is in its third OTR period which expires on February 28, 2010. Exercising the remaining OTR will bring the cumulative value of the contract to \$2,414,000.

**Initial Contract Term and**

<b>Usage:</b>	March 1, 2006 to February 28, 2007	\$ 481,000
<b>First OTR and Usage:</b>	March 1, 2007 to February 28, 2008	\$ 501,000
<b>Second OTR and Usage:</b>	March 1, 2008 to February 28, 2009	\$ 501,000
<b>Third OTR and Usage:</b>	March 1, 2009 to February 28, 2010	\$ 450,000
<b>Fourth OTR and Estimated Usage:</b>	March 1, 2010 to February 28, 2011	<u>\$ 481,000</u>
<b>Cumulative Value:</b>		<b>\$2,414,000</b>

Includes the following modifications:

<b>Term</b>	<b>Department</b>	<b>Amount of Change</b>	<b>Type of Change</b>
Initial Term	Miami-Dade Police (MDPD) Department	\$15,000	Increase
First OTR	MDPD	\$20,000	Increase
Third OTR	Various Departments	(\$51,000)	Decrease
Fourth OTR	General Services Administration and Miami-Dade Water and Sewer Department	\$29,000	Increase

**Using/Managing Departments and Funding Sources:**

<b>Department</b>	<b>Allocation</b>	<b>Funding Source</b>	<b>Contract Manager</b>
Aviation	\$ 30,000	Proprietary Funds	Neivy Garcia
Corrections and Rehabilitation	\$ 15,000	General Fund	Mohammad Haq
Fire Rescue	\$ 24,000	Fire District	Marianela Betancourt
General Services Administration	\$ 8,000	Internal Service Funds	Cassandra Gainey
Park and Recreation	\$ 7,000	General Fund / Proprietary Funds	Maria Quinoa
Police	\$ 57,000	General Fund	Laura Romano
Public Housing Agency	\$ 15,000	Federal Funds / Proprietary Funds	Indira Rajkumar

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Public Works	\$ 32,000	General Fund / PTP Surtax	Orky Rodriguez
		Proprietary Funds	
Seaport	\$ 14,000	Proprietary Funds	Phillip Rose
Transit	\$ 75,000	MDT Operating	Tametria Harris
Vizcaya	\$ 2,000	Proprietary Funds	Luis Correa
Water and Sewer	<u>\$202,000</u>	Proprietary Funds	Gregory Hicks
<b>Total:</b>	<b>\$481,000</b>		

<b>Vendors:</b>	<b>Address</b>	<b>Principal</b>
•Lunar Industrial & Electrical Inc. (Local vendor)	15975 SW 117 <sup>th</sup> Avenue Miami, FL 33177	Arturo Lujan
•Best Plumbing Specialties Inc. (Non-local vendor)	3039 Ventrie Court Myersville, MD 21773	William J. Breen
•Sid Tool Company Inc (Non-local vendor)	75 Maxess Road Tax Department Melville, NY 11747	David Sandler
•W.W. Grainger Inc (Non-local vendor)	100 Grainger Parkway Tax Department B3-E40 Lakeforest, IL 60045	Chris Bellmore
•Ferguson Enterprises Inc. (Non-local vendor)	12500 Jefferson Avenue Newport News, VA 23602	Terry Hall
•Biscayne Electric & Hardware (Local vendor)	1140 NW 159 <sup>th</sup> Drive Miami, FL 33169	Alan Troop
•Lion Plumbing Supply Inc (Local vendor)	14350 NW 7 <sup>th</sup> Avenue Miami, FL 33168	Paul Gentile
•ITW Inc. (Local vendor)	1450 South State Road 7 Hollywood, FL 33023	Carol Berger

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

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

**Contract Measure:** No Measure – Method of Award

**Review Committee Date:** July 27, 2005; Item 2-06

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**Local Preference:** Applied in accordance with the Ordinance where permitted by funding source.

**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.

**DPM Contract Manager:** Vearnetta Rivers, Department of Procurement Management

**JUSTIFICATION**

This contract is utilized to purchase various hand, precision, electrical, and carpentry tools, mechanic tool sets, and storage boxes and is currently being used by 12 County departments.

There are 62 manufacturers represented by eight awarded firms. The contract prices are based on the highest percentage discounts available from the most recent manufacturers' published list prices. Additional manufacturers may be added during the life of the contract for new items consistent with this method.

During the initial term of the contract, Miami-Dade Police Department (MDPD) requested an increase of \$15,000 to purchase hand tools used by their Facilities Maintenance Unit for various projects. In the first option-to renew (OTR), MDPD requested an additional \$20,000 for various large projects including the replacement of flooring and carpeting in the offices at the Fred Taylor Headquarters Complex, and at various classrooms in the Training Bureau.

Reduced departmental budgets combined with decreased contract usage, resulted in reductions in allocation requests by various departments.

For the fourth OTR term, General Services Administration (Design and Construction Services Division) has requested access to the contract with an allocation of \$3,000 to replace tools utilized for maintenance work. Miami-Dade Water and Sewer Department (WASD) requested an allocation increase of \$40,000 to accommodate increased contract usage. Of the \$40,000, \$14,000 will be transferred to WASD from unallocated funds. The remaining balance needed to support WASD requirements, in the amount of \$26,000, is included in the total allocation amount requested for this OTR period. It is therefore in the best interest of the County to exercise the fourth OTR period.

**Item 2**

**Contract No.:** EPP-RFP530

**Contract Title:** Water and Sewer Department Rates and Fees Analysis

**Description:** It is recommended that the Board authorize the County Mayor or the County Mayor’s designee to exercise the first Option-to-Renew to procure implementation assistance and related services in regard to the rates and fees analyses completed for the Water and Sewer Department. The contract is in its initial three-year term which expires on March 28, 2010. The contract has four one-year OTRs remaining. Exercising the first OTR will bring the cumulative value of the contract to \$1,080,000.

**Initial Contract Term and**

<b>Usage:</b>	March 29, 2007 – March 28, 2010	\$ 930,000*
<b>First OTR and Estimated</b>		
<b>Usage:</b>	March 29, 2010 – March 28, 2011	<u>\$ 150,000</u>
<b>Cumulative Value:</b>		<b>\$1,080,000</b>

\*Original contract amount was \$717,000. A contract modification was issued in the amount of \$213,000 for increased tasks and technical assistance associated with the implementation of a new rate and fee structure.

**Using/Managing Department and Funding Source:**

<b>Department</b>	<b>Allocation</b>	<b>Funding Source</b>	<b>Contract Manager</b>
Water and Sewer	<u>\$150,000</u>	Proprietary Funds	Peter Velar
<b>Total:</b>	<b>\$150,000</b>		

<b>Vendor:</b>	<b>Address</b>	<b>Principal</b>
•Black & Veatch Corporation (Non-local vendor)	201 South Orange Avenue Suite 500 Orlando, FL 32801	John Kersten

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

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

**Contract Measure:** A 20% Small Business Enterprise subcontractor goal was applied in accordance with the Ordinance.

**Review Committee Date:** July 26, 2006; Item #2-01

**Local Preference:** The Local Preference was applied in accordance with the Ordinance but 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.

**DPM Contract Manager:** Amado Gonzalez, Department of Procurement Management

**JUSTIFICATION**

The Miami-Dade Water and Sewer Department (WASD) delivers water and sewer services to most residents and businesses within Miami-Dade County serving approximately 407,000 water and 322,000 sewer retail customers. Wholesale water service is also provided to six municipalities, wholesale wastewater service to four municipalities, and wholesale combined water and wastewater service to eight municipalities, within the geographical boundaries of the county.

The WASD rate and fee structure was based on projections and smoothing mechanisms. Pursuant to the contract, the selected Proposer conducted three rate and fee analyses, one for each fiscal year 2007-2008 through 2009-2010. A new rate and fee structure based on true cost charges was recommended by the County Manager, and approved by the Board of County Commissioners via Ordinance No. 08-109.

The contract provides the option to procure rate and fee implementation assistance and related consulting services including: 1) assistance in exploration of customer base specific impacts and accommodations, 2) stress testing of the billing system, 3) development of business processes for revised rate methodologies, 4) support for development of customer presentation materials and presentations for rate methodology, 5) future updates or adjustments to the cost allocation model, and 6) expansion/updating of various modules of the existing rate modeling software.

The services provided in this contract support WASD in its annual review of all rates and fees, pursuant to Implementing Order 4-110, provides recommendation of necessary changes, and assists in the implementation of approved rates and fees. It is therefore in the best interest of the County to exercise the first option-to-renew period.

**Item 3**

**Contract No.:** EPP-RFP485

**Contract Title:** Title Company Services

**Description:** It is recommended that the Board authorize the County Mayor or the County Mayor's designee to exercise the first Option-to-Renew (OTR) to procure title company services. The contract is in its initial four-year term which expires on February 22, 2010. The contract has three one-year OTRs remaining. Exercising the first OTR will bring the cumulative value of the contract to \$1,219,000.

**Initial Contract Term and**

<b>Usage:</b>	February 23, 2006 – February 22, 2010	\$ 975,000*
<b>First OTR and Estimated Usage:</b>	February 23, 2010 – February 22, 2011	<u>\$ 244,000</u>
<b>Cumulative Value:</b>		<b>\$1,219,000</b>

\*Contract modification issued in the amount of \$75,000 to add an allocation for the Building Department to utilize the contract.

**Using/Managing Departments and Funding Sources:**

<b>Department</b>	<b>Allocation</b>	<b>Funding Source</b>	<b>Contract Manager</b>
Finance Department	\$200,000	Tax Deed Application Fees	Gerardo Gomez
Building and Neighborhood Compliance	<u>\$ 44,000</u>	General Fund / Proprietary Funds	Stanley Krafick
<b>Total:</b>	<b>\$244,000</b>		

<b>Vendor:</b>	<b>Address</b>	<b>Principal</b>
• JGS Properties, Inc. d/b/a National Title and Abstract Company (Local vendor)	151 SW 27 <sup>th</sup> Avenue Miami, FL 33135	John G. Sanchez

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

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

**Contract Measure:** No measures due to funding source of tax deed application fees. The Building Department, which utilizes a different funding source, was added to the contract after award.

**Review Committee Date:** Not applicable

**Local Preference:** The Local Preference was applied in accordance with the Ordinance but 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.

**DPM Contract Manager:** Terry Rolle, Department of Procurement Management

**JUSTIFICATION**

The Finance Department's Tax Collector Division utilizes the services of a title company to provide certified ownership and encumbrance reports for tax deed applications. These reports are required under Section 197.502 of the Florida Statutes and Department of Revenue Regulation Rule 12D-13.061. These reports contain lien information on real property for which a tax deed application is filed. The Building Department also utilizes the services of a title company to provide ownership and encumbrance reports for properties declared to be unsafe.

The prices are competitive and the vendor is performing in a satisfactory manner. The client departments continue to require the services of the title company. Additionally, the Finance Department expects the sale of tax deeds to increase in the near future. Therefore, it is the best interest of the County to exercise the first option-to-review.