

Memorandum



Date: March 2, 2010

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

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

From: George M. Burgess
County Manager

A handwritten signature in dark ink, appearing to read "Burgess", is written over the printed name of George M. Burgess.

Subject: Resolution Authorizing Award of Competitive Contracts

Recommendation

It is recommended that the Board of County Commissioners approve the attached award of competitive contracts, rejection of bids, and contract modifications with authority to exercise options-to-renew.

Contract amounts and department allocations represent the maximum spending authority based on past 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 Award of Competitive Contracts 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 vendors recommended for award in the Award of Competitive Contracts Package. Each department's contract manager is reflected in the Award of Competitive Contracts Package.

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 (OTR) and extend contracts for purchase of goods and services in accordance with the terms and conditions of the each contract.

Background

Section 1 AWARD OF COMPETITIVE BIDS

The contracts listed in this section are being recommended for award to the responsive, responsible bidder(s) who met the requirements of the respective solicitation.

Item 1.1: Hoses, Nozzles, Couplings and Related Items (Pre-qualification) is to award this contract to purchase hoses, nozzles, couplings and related items for

various County departments. The amount being requested is **\$1,057,000**. If the County chooses to exercise the one, five-year OTR period, the cumulative value will be **\$2,114,000**.

Item 1.2: Temporary Health Professional Services is to award this contract for temporary health professional services for the Miami-Dade Public Housing Agency and the Department of Human Services. The amount being requested is **\$3,043,000**. If the County chooses to exercise the three, one-year OTR periods, the cumulative value will be **\$7,607,500**.

Item 1.3: Polymeric Flocculants is to award this contract for polymeric flocculants for the Miami-Dade Water and Sewer Department. The amount being requested is **\$10,000,000**.

Section 2 REJECTED BIDS

A bid may be rejected when adverse conditions exist such as the proposal not conforming to the specifications and/or solicitation documents, insufficient financial resources, technical ability, physical capacity and/or skill of the vendor, unfair and unreasonable pricing, insufficient competition and for any other cause in the best interest of the County.

Item 2.1: Aquatic Weed Harvester Boats is to reject all bids received in response to a solicitation to establish a contract to purchase aquatic weed harvester boats for the Public Works Department.

Item 2.2: Electronic Contact Management Solution of Customizable Workflow Capability is to reject all bids received in response to a solicitation to establish a contract to purchase software maintenance and support services for the existing enterprise Electronic Document Management System for the Enterprise Technology Services and Finance departments.

Section 3 COMPETITIVE CONTRACT MODIFICATIONS

A competitive contract modification is an award of a supplemental allocation for goods or services within the scope of the original contract award.

Item 3.1: Rental Trailers/Trucks/Vans Pre-qualification is to modify this contract for additional spending authority to allow the Elections Department to continue to purchase truck and van rental services for election operations. The additional amount being requested is **\$1,800,000**.

Item 3.2: Elevator Maintenance Services is to modify this contract for additional time and spending authority to allow various County departments to continue to

purchase elevator maintenance services. The additional amount being requested is
\$307,000.

**Section 4: PURCHASES MADE UNDER COMPETITIVELY AWARDED CONTRACTS
OF OTHER GOVERNMENTAL ENTITIES**

The County may access contracts competed and awarded by federal, state and local governments when it is legally permissible, and it is determined to be in the best interest of the County, and the item is not available through an existing County contract.

There are no items for this section.


Assistant County Manager



MEMORANDUM

(Revised)

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

DATE: March 2, 2010

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

A handwritten signature in black ink, appearing to read "RACJ", is written over the printed name of the County Attorney.

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

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)(F)
3-2-10

RESOLUTION NO. _____

RESOLUTION AUTHORIZING AWARD OF
COMPETITIVE CONTRACTS, REJECTION OF BIDS,
AND CONTRACT MODIFICATIONS, AND AUTHORIZING
THE COUNTY MAYOR OR COUNTY MAYOR'S
DESIGNEE, AND TO EXERCISE OPTIONS-TO-RENEW
ESTABLISHED THEREUNDER FOR 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 authorizes
award of competitive contracts, rejection of bids, and contract modifications, and
authorizing the County Mayor or County Mayor's designee, and to exercise options-to-
renew established thereunder for the purchase of goods and services.

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
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

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The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of March, 2010. 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

SECTION 1
AWARD OF COMPETITIVE BIDS

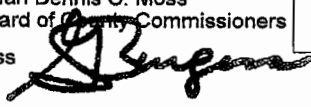
Item 1.1

Memorandum



Date: December 17, 2009

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

From: George M. Burgess
County Manager 

Subject: Recommendation for Approval to Award Contract No. 4627-1-19: Hoses, Nozzles, Couplings and Related Items (Pre-qualification)

RECOMMENDATION

It is recommended that the Board of County Commissioners approve award of this contract to the vendors listed below to supply hoses, nozzles, couplings and related items for various County departments.

CONTRACT NUMBER: 4627-1/19

CONTRACT TITLE: Hoses, Nozzles, Couplings and Related Items
(Pre-qualification)

TERM: Five years with one, five-year option-to-renew

APPROVAL TO ADVERTISE: August 3, 2009

CONTRACT AMOUNT: \$1,057,000 for five years*
*Should the County choose to exercise the one, five-year option-to-renew; the cumulative value will be \$2,114,000.

**ALLOCATIONS, USING
MANAGING AGENCIES
AND FUNDING SOURCES:**

<u>Department</u>	<u>Allocation Request</u>	<u>Funding Source</u>	<u>Contract Manager</u>
Aviation	\$ 15,000	Proprietary Funds	Neivy Garcia
Corrections	\$ 12,000	General Fund	Mohammed Haq
Park & Recreation	\$ 10,000	General Fund/Proprietary Funds	Maria Quinoa
Public Works	\$ 37,000	General Fund/Proprietary Funds	Orky Rodriguez
Seaport	\$ 8,000	Proprietary Funds	Giselle Saner
Solid Waste	\$ 100,000	Proprietary Funds	Karen Naya
Water & Sewer	\$ 875,000	Proprietary Funds	Gregory Hicks
Total	\$1,057,000		

**PREVIOUS CONTRACT
AMOUNT:** \$190,000 for one year

METHOD OF AWARD: To all responsive and responsible bidders who meet the pre-qualification requirements as specified in the solicitation. As needs are identified, pre-qualified vendors will be asked to submit a price quotation for the specific

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items required. Additional vendors meeting the pre-qualification criteria may be added to the pool at any time during the contract term.

**VENDORS RECOMMENDED
FOR AWARD:**

Vendor	Address	Principal
Amazon Hose & Rubber Company (Non-local vendor)	1625 West Princeton St. Orlando, FL 32804	Summer Rodman
Applied Industrial Technologies, Inc. (Non-local vendor)	1 Applied Plaza Cleveland, OH 44115	Thomas E. Arnold
Best Plumbing Specialties, Inc. (Non-local vendor)	3039 Ventrie Ct. Myersville, MD 21773	William J. Breen III
Comp-Air Service Co. (Local vendor)	13195 NW 38 th Ave. Miami, FL 33054	Larry J. Olesky
Generating Systems Inc. (Local vendor)	13440 SW 29 th Terr. Miami, FL 33175	Fernando L. Perez
Global Industrial Products (Local vendor)	13170 NW 43 rd Opa Locka, FL 33054	Mario E. Hernandez
Industrial Hose & Hydraulics (Local vendor)	2450 N. Powerline Rd. Pompano Beach, FL 33069	Joanne Heckman
J.G.B. Enterprises, Inc (Non-local vendor)	115 Metropolitan Drive Liverpool, NY 13088	Josh R. Defino
Muncie Reclamation & Supply (Non-local vendor)	3720 South Madison St. Muncie, IN 47302	Becky Huff
Staubli Corporation (Non-local vendor)	201 Parkway Wet Duncan, SC 29334	Bryant Hatten

PERFORMANCE DATA:

There are no known performance issues with the recommended firms.

COMPLIANCE DATA:

There are no known compliance issues with the recommended firms.

**VENDOR(S) NOT
RECOMMENDED
FOR AWARD:**

None

CONTRACT MEASURES:

The Small Business Enterprise Bid Preference was 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 will be collected on all purchases where permitted by funding source.

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

ESTIMATED CONTRACT COMMENCEMENT DATE: Upon approval by the Board and expiration of the Mayoral veto period.

CONTRACT MANAGERS:

- Vearnetta Rivers, Department of Procurement Management
- Neivy Garcia, Miami Dade Aviation Department
- Mohammed Haq, Miami Dade Corrections & Rehabilitation
- Maria Quinoa, Miami Dade Park & Recreation
- Orky Rodriguez, Public Works
- Gyselle Saner, Miami Dade Seaport Department
- Ermine Brookes, Solid Waste Management
- Gregory Hicks, Miami Dade Water & Sewer Department

BACKGROUND

This contract is used in the daily operations of various County departments to purchase a variety of hoses, nozzles, couplings and related items. These items are commonly used to maintain and repair equipment such as heavy duty high pressure water hoses commonly used by the Public Works Department to clean multiple twenty-four hour beach stations located along the Rickenbacker Causeway. The Solid Waste Department purchases an array of items used for repair of pipes at landfills located throughout the County. The Water and Sewer Department has multiple compressors in each of the treatment plants and repair facilities which compress either air or pressurized hydraulic fluid to power shop equipment and tools. The treatment plants use various hoses to transport chemicals including chlorine, hydrogen peroxide, and liquid oxygen. The Department has approximately 1,800 pieces of mobile equipment which are powered and controlled by closed hydraulic and air systems. Specialized connectors and couplings are required for the 45,000 fire hydrants that are maintained throughout the County. Other departments regularly purchase standard fire hoses, lay-flat hoses, and spiral main connector hoses.


Assistant County Manager

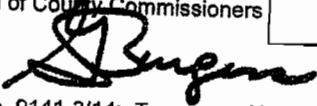
Item 1.2

Memorandum



Date: January 7, 2010

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

From: George M. Burgess
County Manager 

Subject: Award of Contract No. 9141-3/14: Temporary Health Professional Services

RECOMMENDATION

It is recommended that the Board of County Commissioners approve award of this contract to the vendors listed below to provide temporary health professional services for various County departments.

CONTRACT NUMBER: 9141-3/14

TITLE: Temporary Health Professional Services

TERM: Two years with three, one-year options-to-renew

APPROVAL TO ADVERTISE: July 30, 2009

METHOD OF AWARD: To the two responsive and responsible bidders offering the lowest aggregate price, per group, as primary and secondary vendors. The five groups are structured by specific job classifications.

PREVIOUS CONTRACT ALLOCATION: \$1,575,900 (Based on combined value of four temporary professional health services contracts).

CONTRACT AMOUNT: \$3,043,000*
*Should the County choose to exercise the three, one-year options-to-renew, the cumulative value will be \$7,607,500.

ALLOCATIONS, MANAGING AGENCIES AND FUNDING SOURCES:

<u>Department</u>	<u>Allocation</u>	<u>Funding Source</u>	<u>Contract Manager</u>
Miami Dade Public Housing Agency	\$1,844,000	Federal Funds	Mari Saydal-Hamilton
Department of Human Services	\$1,199,000	Federal Funds General Funds / State Funds	Gale Aldrich
Total	\$3,043,000		

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**VENDORS RECOMMENDED
FOR AWARD:**

Vendor	Address	Principal	Award
CSI Catalanos Nurses Registry, Inc. (Local vendor)	5803 NW 151 st Street Suite 204 Miami, FL 33014	Harvey Wagner	Group A (Primary); Group B (Secondary)
ADIL Business Systems, Inc. (Local vendor)	2501 S. Ocean Drive Suite C205 Hollywood, FL 33019	Chachra Sushil	Group A (Secondary)
Qualified Homecare Services, Inc. (Local vendor)	2500 N. University Drive Suite 2 Sunrise, FL 33332	Audreya McLean	Group B (Primary) Group E (Secondary)
Westaff (USA), Inc. (Non-Local vendor)	3820 State Street Santa Barbara, CA 93105	Paul Sorensen	Group C (Primary)
Albion Staffing Solutions, Inc. (Local)	2520 NW 97 th Avenue, #110 Miami, FL 33172	Peter Santangelo	Group C (Secondary)
Brewster Group, Inc. d/b/a MGN Healthcare Services (Local vendor)	111 NW 183 rd Street Suite 350 Miami, FL 33169	Annabel Brewster	Group D (Primary)
PackPlus, Inc. (Local vendor)	633 NE 167th Street Suite 620 North Miami Beach, FL 33162	Joseph Obadeyi	Group D (Secondary) Group E (Primary)

PERFORMANCE DATA:

There are no performance issues with the recommended firms.

COMPLIANCE DATA:

There are no compliance issues with the recommended firms.

**VENDORS NOT RECOMMENDED
FOR AWARD:**

The following vendors' bids were higher than the recommended vendors for Bid Groups A, B, and C:

Academy Design and Technical Services, Inc.
AJC Medical Staffing, LLC.
Bonaventure Health Services, Inc.
Cambridge Healthcare
Compass Home Health Care, LLC
Deivin Consulting Group
First Alert Staffing Team LLC
First Care Home Services, Inc.
GLAC Corp.
Maxim Healthcare Services, Inc. d/b/a Maxim Staffing Solutions
Medical Staffing Network, Inc.
Med-Staff, Inc. d/b/a MedStaff Healthcare Solutions

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Nurses PRN of Florida LLC
Pack Plus, Inc.
REW Healthcare Services, Inc.
Star One Staffing, Inc.

The following vendors offered prices on Bid Groups D and/or E, however, the bidders' offers were not considered because they were not Certified Small Business Enterprise firms:

Academy Design and Technical Services, Inc.
ADIL Business Systems, Inc.
Albion Staffing Solutions, Inc.
Bonaventure Health Services, Inc.
Cambridge Healthcare
Compass Home Health Care, LLC
GLAC Corp.
Maxim Healthcare Services, Inc. d/b/a Maxim Staffing
Medical Staffing Network, Inc.
Med-Staff, Inc. d/b/a MedStaff HealthCare Solutions
Nurses PRN of Florida, LLC
Star One Staffing, Inc.
Westaff (USA), Inc.

AJC Medical Staffing, Inc. was declared non-responsive by the County Attorney's Office for Bid Groups C and D for failure to provide prices/billing rates for all of the items/positions contained in the referenced bid groups.

Adelante Staffing Services, Inc. was deemed non-responsible for failure to provide copies of tax returns for 2006. The bidder also failed to comply with the minimum requirement of three years in business as established in the bid document.

REVIEW COMMITTEE DATE:

August 5, 2009: Item #2-03

CONTRACT MEASURES:

The vendor preference pursuant to Section 3 of the U.S. Housing and Urban Development Act of 1968 applied to Bid Groups A, B, and C. None of the vendors recommended for award in Bid Groups A, B, and C was a Section 3 certified vendor, as such the Section 3 preference was not applicable.

	Small Business Enterprise Set-Aside applied to Bid Groups D and E in accordance with the Ordinance.
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 will be collected on all purchases permitted by funding source.
LOCAL PREFERENCE:	The Local Preference will be applied in accordance with the Ordinance where permitted by funding source.
PROJECT MANAGERS:	This contract includes allocations for multiple departments. Each department will designate a contract manager.
ESTIMATED CONTRACT COMMENCEMENT DATE:	Upon approval by the Board of County Commissioners and expiration of the Mayoral Veto period.

BACKGROUND

The purpose of this solicitation is to establish a contract for purchase of temporary health professional services for various County agencies. The contract will be awarded to a primary and secondary vendor for each of the five groups, structured by specific job classifications, as follows:

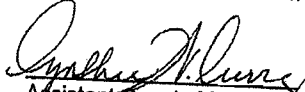
- Group A – Certified Nursing Assistants for Miami-Dade Public Housing Agency
- Group B – Registered Nurses and Licensed Practical Nurse for Miami-Dade Public Housing Agency
- Group C – Social Worker 1 and Health Services Coordinator for Miami-Dade Public Housing Agency
- Group D – Licensed Practical Nurses and Medical Doctor/Psychiatrist for the Department of Human Services
- Group E – Home Care Aide, Social Worker Aide, Social Worker 1 for the Department of Human Services

The awarded vendor for the majority of nursing personnel services on the previous contract was terminated due to breach of contract. Following the breach, two emergency contracts, and a second short-term contract were established to provide continuity of essential services until the award of the successor contract.

The increase in total contract value is attributed to several factors. These include changes in the initial contract term from one to two years, inclusion of three job classifications currently covered under a Temporary Technical Personnel contract which will expire on May 31, 2010 and an increase in the estimated hours and number of employees needed due to

Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners
Page 5

added responsibilities assumed by Miami-Dade Public Housing Agency for the management
and operations of the Helen Sawyer Assisted Living Facility.


Assistant County Manager

Item 1.3

Memorandum



Date: January 20, 2010

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

From: George M. Burgess
County Manager

Subject: Award of Contract No. 4048-0/15: Polymeric Flocculants

RECOMMENDATION

It is recommended that the Board of County Commissioners approve award of this contract to Ashland Inc., Ciba Corporation, US Polymers, Inc. and Polydyne, Inc. for purchase and delivery of polymeric flocculants for the Miami-Dade Water and Sewer Department.

CONTRACT NUMBER: 4048-0/15

CONTRACT TITLE: Polymeric Flocculants

TERM: Five years

APPROVAL TO ADVERTISE: October 22, 2009

CONTRACT AMOUNT: \$10,000,000

DEPARTMENT, ALLOCATION AND FUNDING SOURCE:

<u>Department</u>	<u>Allocation</u>	<u>Funding Source</u>	<u>Project Manager</u>
WASD	\$10,000,000	Proprietary Funds	Lydia Manners
Total	\$10,000,000		

**PREVIOUS CONTRACT
AMOUNT:** \$2,580,360 for 18 months

METHOD OF AWARD: To all responsive and responsible bidders who meet the prequalification requirements as specified in the solicitation for participation in semi-annual spot market competition. Additional qualified vendors may be added at any time during the contract term.

Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners
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**VENDORS RECOMMENDED
FOR AWARD:**

Vendor	Address	Principal	Award
Ashland Inc. (Non-Local Vendor)	1313 N. Market Street Wilmington, DE 19884	Tanis D. Lauzon	Pre-qualified
Polydyne Inc (Non-Local Vendor)	1 Chemical Plant Road Riceboro, GA 31323	Lawrence D. Grizzle	Pre-qualified
Ciba Corporation (Non-Local Vendor)	2371 Wilroy Road Suffolk, VA 23434	Charles Wright	Pre-qualified
US Polymers Inc (Non-Local Vendor)	10930 Darracolt Road Aberdeen, MS 39730	Leigh Guin	Pre-qualified

PERFORMANCE DATA:

There are no performance issues with the recommended firms.

COMPLIANCE DATA:

There are no compliance issues with the recommended firms.

**VENDOR NOT RECOMMENDED
FOR AWARD:**

Kemira Water Solutions Inc responded with a "no bid"

REVIEW COMMITTEE DATE:

October 28, 2009; Item # 6-07

CONTRACT MEASURES:

The Small Business Enterprise Bid Preference will be 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 will be collected on all purchases.

LOCAL PREFERENCE:

The Local Preference will be applied in accordance with the Ordinance where permitted by the funding source.

CONTRACT MANAGER:

Herman Ramsey, Department of Procurement Management

**ESTIMATED CONTRACT
COMMENCEMENT DATE:**

Upon approval by the Board and expiration of the Mayoral veto period.

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BACKGROUND


This replacement contract is for purchase and delivery of polymeric flocculants for the Miami-Dade Water and Sewer Department (WASD). Two polymers are used (gravity thickening and digested sludge dewatering) in the wastewater treatment process to assist in the capture and separation of solids from the wastewater stream.

After extensive testing of samples presented by potential suppliers, WASD staff developed a Qualified Products List consisting of 11 products deemed acceptable for use at the Central District Wastewater Treatment Plant.

The eleven products that were deemed acceptable for use following the testing are:

Suppliers	Products Material
Polydyne Inc. (3)	SE1139, SE1141, and SE1138
U S Polymers (4)	FL 108, FL 107, FL 109, and FL 110
Ciba (2)	8185 and 8160
Ashland Inc (2)	859 BS and 511 K

The increase in the proposed contract value as compared to the current contract is due to an increase in the flow rate of wastewater. This increased flow rate will require greater quantities of the dewatering and gravity thickener chemicals to process the accumulated wastewater product.


Assistant County Manager

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SECTION #2
REJECTED BIDS

Item 2.1

Memorandum



Date: January 7, 2010

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

From: George M. Burgess
County Manager

Subject: Rejection of all Bids Under Solicitation No. 9053-0/12: Aquatic Weed
Harvester Boats

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the rejection of all bids received under the referenced solicitation.

BID NUMBER: 9053-0/12

TITLE: Aquatic Weed Harvester Boats

APPROVAL TO ADVERTISE: May 5, 2009

TERM: Three years

CONTRACT AMOUNT: \$2,400,000

PREVIOUS CONTRACT ALLOCATION: There is no previous contract.

METHOD OF AWARD: To the responsive and responsible vendor who offers the lowest price per boat.

VENDOR(S) RECOMMENDED FOR AWARD: None

VENDORS NOT RECOMMENDED FOR AWARD: Alpha Boats Unlimited, a Division of Barber Welding Inc.
Aquarius Systems
Hike Metal Products Limited
PSI Sales, Inc.

CONTRACT MEASURES: The Small Business Enterprise Bid Preference was 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 was applied. The 2% program discount will be collected on all purchases where permitted by funding source.

Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners
Page 2

LOCAL PREFERENCE: The Local Preference was applied in accordance with the Ordinance where permitted by funding source.

CONTRACT MANAGERS: Pablo Martinez, Department of Procurement Management
Manny Hervis, Public Works Department

REASON FOR REJECTION

The Public Works Department (PWD) requested the purchase of 12 aquatic weed harvester boats. Harvester boats are used to clean and remove aquatic weeds from canals throughout the County. Aquatic weeds create an environmental hazard by clogging canals and flood-control outlets. The overgrowth of aquatic weeds also attracts animals and insects and facilitates algae growth.

The three responding vendors were Aquarius Systems, Hike Metal Products Limited, and PSI Sales, Inc. A "no bid" was received from Alpha Boats Unlimited, a Division of Barber Welding Inc. Aquarius Systems (the low bidder) and PSI Sales, Inc. (the second low bidder) took exceptions to the terms and conditions. Aquarius Systems conditioned its bid by asking the County to waive liquidated damages or increase the bid price on the first order. Aquarius Systems also took exception to the 180 days delivery requirement. PSI Sales, Inc. conditioned its bid by stating that prices would expire after 30 days, requiring payment upon delivery, and quoting prices based on F.O.B. Shipping Point.

The County Attorney's Office determined that the bids received from Aquarius Systems and PSI Sales were non-responsive (copy attached).

Hike Metal Products' price offer exceeded the PWD's budget. Therefore, the Department of Procurement Management staff initiated negotiations with Hike Metal Products to secure a lower price. As a result, Hike Metal Products offered a best and final price of \$241,849 per boat, for an order of one each, and \$236,521 per boat, based on a minimum order of four boats, during the first year. Even though the vendor reduced their price, Hike Metal Products' best and final price still exceeds PWD's budget.

It is in the County's best interest to reject all bids received under the referenced solicitation and re-solicit using revised specifications.

Attachment(s)


Assistant County Manager



Memorandum

To: Pablo Martinez
From: Edward Z. Shafer *EZS*
Assistant County Attorney
Date: June 29, 2009
Re: Responsiveness of bids – Solicitation
No. 9053-0/12, Aquatic Weed Harvester Boats

You have requested that this office give a legal opinion on the responsiveness of the bids of Aquarius Systems, PSI Sales, Inc. and Hike Metal Products to the above referenced Invitation to Bid.

In this opinion, I have relied on the following facts derived from a review of the bids and conversations with you. The ITB sought bids on specific Aquatic Harvester Boats to be purchased by the County. The ITB in Section 2.1 advised bidders that the County wished to purchase 12 boats over a three year period, contingent on the availability of funding (Section 2.4). The ITB provided delivery and payment terms.

Hike Metal Products did not acknowledge the 3 addenda issued by the County. PSI Sales attached a four page document entitled "Warranties and Conditions of Sale or Quotation," which made their bid subject to the terms and conditions of the document. Aquarius Systems bid was accompanied by a letter explaining a potential, even likely, delays in delivery of boats as well as a price proposal conditioned on any delay in delivery.

As discussed before, a bid may be rejected if there is a material variance between the bid and the invitation for bid. A minor variance does not invalidate a bid according to the case of Robinson Electric Company v. Dade County, 417 So.2d 1034 (Fla. 3rd DCA 1982). There is a two part test to determine if a specific noncompliance is substantial and thus nonwaivable: 1. would waiver of the variance/noncompliance deprive the County of the assurance that the contract would be performed per the bid requirements and 2. whether waiver would adversely affect competitive bidding by placing a one proposer in a position of advantage over others. (See Gladstein v. City of Miami, 399 So.2d 1005 (Fla. 3rd DCA).

In applying the foregoing test/standard to the facts presented, I find that Hike Metal's bid is responsive whereas Aquarius System's and PSI Sales' bids are not responsive.

Hike Metal's bid is responsive because the addenda do not materially change the ITB. Addendum 2 changes the bid opening date. Addenda 1 & 3 clarify existing language and provide additional information (requested by vendors) regarding technical matters and provide photos and schematics of existing boats, hydraulic pumps and cylinders. Hike, by submitting a bid, is bound by the addenda. If you agree that Hike has gained no competitive advantage, then the irregularity of Hike not acknowledging the addenda may be waived by the County. Aquarius Systems cover letter, in effect, takes an exception to the bid requirement that any boat must be delivered within 180 days of an order for same (See Section 2.17). Aquarius Systems clearly state that an initial order for more than 2 boats will require additional time for delivery. In addition, Aquarius Systems conditioned their stated price by stating they wanted an exception to the liquidated damages provision on the first order of boats or, in the alternative, an increase in the price per boat on the first order. Since, for the foregoing reasons, Aquarius Systems is not offering the County the aquatic harvester boats under the terms required in the Invitation to Bid, their proposal is non-responsive.

PSI Sales qualified its bid by including a document entitled Conditions of Sale or Quotation with its bid. The ITB, §2.7 states that bid prices are good for 1 year after commencement of the contract whereas the attached Conditions of Sale or Quotation document states that prices expire 30 days from issuance. The ITB, in Section H1 allows for payment within 45 days whereas PSI Sales insists that payment is due at time of delivery. The ITB §1.17 and §2.16 requires delivery to be FOB destination while PSI Sales bid states their prices are FOB shipping point. Again, PSI Sales, for the foregoing reasons, is not offering the County the boats on the terms specified in the ITB. Their bid is therefore non-responsive.

EZS/db

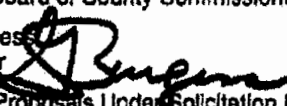
Item 2.2

Memorandum



Date: January 27, 2010

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

From: George M. Burgess
County Manager 

Subject: Rejection of all Proposals Under Solicitation No. RFP 690: Electronic Content Management Solution with Customizable Workflow Capability

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the rejection of all proposals received for RFP 690.

BID NUMBER: RFP 690

TITLE: Electronic Content Management Solution with Customizable Workflow Capability

APPROVAL TO ADVERTISE: August 28, 2009

TERM: Three years with two, two year options-to renew

CONTRACT AMOUNT: \$2,750,000 for the initial three year term

PREVIOUS CONTRACT ALLOCATION: \$1,135,640 for two years*

*The current contract is solely for software maintenance and support services for the existing enterprise Electronic Document Management System. The proposed solution will include software licenses, implementation, integration, training, and support services.

METHOD OF AWARD: Award to the recommended responsive, responsible vendor based on the evaluation criteria established in the solicitation. A full and open competitive Request for Proposals process was used.

VENDORS RECOMMENDED FOR AWARD: None

VENDORS NOT RECOMMENDED FOR AWARD:

EMC Corporation
GTSI Corp.
Ikon Office Solutions, Inc.
ImageSoft, Inc.
Imagitek, LTD
Information Access Systems, Inc

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International Business Machines Corporation
KeyMark, Inc.
MTS Software Solutions Inc., d.b.a. PMI Imaging of Florida
Perceptive Software, Inc.
Sire Technologies, Inc.
Team Informatics, Inc.

CONTRACT MEASURES: The Review Committee of June 24, 2009, recommended a Small Business Enterprise selection factor for this solicitation.

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

USER ACCESS PROGRAM: The User Access Program provision was included in the solicitation. The 2% program discount was to be collected on all purchases where permitted by funding source.

LOCAL PREFERENCE: The Local Preference was applied in accordance with the Ordinance.

PERFORMANCE DATA: There are no performance issues with these firms.

COMPLIANCE DATA: There are no compliance issues with these firms.

CONTRACT MANAGER: Julian R. Manduley, Department of Procurement Management

PROJECT MANAGERS: Christopher Crowley, Enterprise Technology Services Department
Connie White, Finance Department

REASON FOR REJECTION

A Request for Proposals was advertised August 28, 2009 under full and open competition to acquire an enterprise Electronic Content Management (ECM) Solution with Customizable Workflow Capability. The ECM Solution would replace the existing enterprise Electronic Document Management System (EDMS) utilized throughout the County as the electronic repository for official County records. All County departments will utilize the new ECM solution, once implemented to store and share documents seamlessly integrating with other County business technologies such as: Enterprise Resource Planning (ERP), Advance Purchasing Inventory Control System (ADPICS), Financial Accounting Management Information System (FAMIS), and the Geographic Information System (GIS). County departments would also use electronic forms with workflow for business process improvement by allowing the County to post official County records on the portal. It is also expected that municipalities and police departments will utilize the ECM for various county records. The various police departments located within the boundaries of Miami-Dade County intend to utilize the ECM to store all arrest reports and certain County records.

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A Pre-Proposal Conference was held September 9, 2009 to review the scope and requirements of the solicitation with industry representatives; eighteen companies were in attendance. The solicitation closed on September 25, 2009 and twelve proposal responses were received.

The Selection Committee evaluated all the proposals as outlined in the solicitation document. Following the preliminary evaluation and scoring of proposals, oral presentations were scheduled with the three highest ranked proposers. During oral presentations, the Selection Committee determined that the responses were not clear regarding the pricing for third party licenses. It became evident that the price for the third party licenses was not included in the pricing submitted in response to the Request for Proposals (RFP). The solicitation required proposers to provide all third party licenses and associated costs as part of their proposal submission.

"Proposer's proposal shall include perpetual software license(s) to accommodate the number of users listed below. All licenses that may be required to access third party software are to be included. The County will not purchase licensing for third party applications which are integrated into the ECM solution."

Inclusion of all third party licenses provides the County with the following benefits:

- Mitigates the County's risk by awarding a primary Contractor responsible for delivering a turnkey project including the on-going maintenance and support to provide continuity of services.
- Provides operational efficiencies and promotes increased competition by allowing Proposer's to partner with third party providers to meet the technical requirements of the solicitation without compromising quality.
- Lowers the total cost of the project by acquiring off-the-shelf functionality thereby avoiding costly customizations and hidden costs.

In consultation with the County Attorney's Office, staff determined that all proposals be rejected due to the pricing discrepancy regarding the third party licenses. Additionally, the estimated project costs submitted are excessive.

Due to budgetary constraints and need to re-evaluate scope requirements, it is recommended that all proposals submitted in response to RFP 690 be rejected, without prejudice to the proposers.


Assistant County Manager

SECTION 3
COMPETITIVE CONTRACT MODIFICATIONS

Item 3.1

Contract No.: 5800-5/17

Contract Title: **Rental Trailers/ Trucks/ Vans Pre-qualification**

Description: To modify this contract for additional spending authority for the Miami-Dade Elections Department to rent trucks and vans that needed for election operations. Modifying this contract will bring the cumulative value over \$1 million.

Type of Change: Additional spending authority

Existing Allocation: \$ 762,000 for five years

Increase By: \$1,800,000

Modification Allocation: \$2,562,000

Current Expiration: December 31, 2012

Using/Managing Departments and Funding Sources:

Departments	Existing Allocation	Additional Allocation	Modified Allocation	Funding Sources	Contract Managers
Corrections and Rehabilitation	\$110,000	\$ 0	\$ 110,000	General Fund	Mohammed Haq
Elections	\$422,000	\$1,800,000	\$2,222,000	General Fund	John Clouser
Fire Rescue	\$ 43,000	\$ 0	\$ 43,000	Fire District	Marianela Betancourt
Transit	\$ 16,000	\$ 0	\$ 16,000	MDT Operating	Angel Castro
Police	\$ 13,000	\$ 0	\$ 13,000	General Fund	Laura Romano
Public Works	\$ 5,000	\$ 0	\$ 5,000	General Fund/ Proprietary Funds	Orki Rodriguez
Solid Waste Management	\$125,000	\$ 0	\$ 125,000	Proprietary Funds	Olga Espinosa-Anderson
Water and Sewer	<u>\$ 28,000</u>	<u>\$ 0</u>	<u>\$ 24,000</u>	Proprietary Funds	Gregory Hicks
Total:	\$762,000	\$1,800,000	\$2,562,000		

Vendors:
Tropical Trailer Leasing LLC
(Local vendor)

Address
9575 NW 89 Avenue
Medley, FL 33178

Principal
Albert Vara

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Budget Truck Rental LLC (Non-local vendor)	6 Sylvan Way Parsippany, NJ 07054	Lynn Feldman
Ryder Truck Rental Inc (Local vendor)	3005 NW 87 Avenue Miami, FL 33166	Jill Verber
Enterprise Leasing Co (Non-local vendor)	600 Corporate Park Drive St. Louis, MO 63105	Andrew Taylor

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

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

Contract Measure: The Small Business Enterprise Bid Preference was applied in accordance with the Ordinance where permitted by funding source.

Review Committee Date: May 9, 2007; Item #6-06

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

Living Wage: The services being provided are covered under the Living Wage Ordinance.

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.

DPM Contract Manager: Albert Touriz

REASON FOR CHANGE

This contract establishes a pool of pre-qualified vendors for the rental of trailers, vans, pick-up trucks and utility vehicles for various Miami-Dade County Departments. The Elections Department (Elections) is requesting an increase in allocation of \$1,800,000 to suitably reflect the truck rentals that will be needed for election operations through December 31, 2012. This allocation will cover a minimum of five county-wide elections and approximately 60 municipal elections. The number of trucks required for an election will be determined based on anticipated voter turnout, equipment, and supply needs for particular elections. In addition, Elections now utilizes 16' trucks instead of 24' trucks, which require a specialized driver license. Using smaller trucks allows the department greater flexibility when hiring seasonal employees, since it is extremely difficult to find drivers who possess this license.

Item 3.2**Contract No.:** 1233-4/08-4**Contract Title:** **Elevator Maintenance Services****Description:** To modify this contract for additional time and spending authority for elevator maintenance services for various County departments.**Type of Change:** Additional time and spending authority**Existing Allocation:** \$2,446,000**Increase By:** \$ 307,000**Modification****Allocation:** \$2,753,000**Current Expiration:** March 31, 2010**Modified Expiration:** June 30, 2010**Using/Managing Departments and Funding Sources:**

Departments	Existing Allocation	Additional Allocation	Modified Allocation	Funding Sources	Contract Managers
Aviation	\$2,000,000	\$250,000	\$2,250,000	Proprietary Funds	Neivy Garcia
General Services Administration	\$ 30,000	\$ 4,000	\$ 34,000	Internal Service Funds	Michael Chavez
Public Housing Agency	\$ 100,000	\$ 13,000	\$ 113,000	Federal Funds / Proprietary Funds	Mari Saydal- Hamilton
Police Department	\$ 30,000	\$ 4,000	\$ 34,000	General Fund	Laura Romano
Water and Sewer	<u>\$ 286,000</u>	<u>\$ 36,000</u>	<u>\$ 322,000</u>	Proprietary Funds	Gregory Hick
Total:	\$2,446,000	\$307,000	\$2,753,000		

Vendor:	Address	Principal
Thyssenkrupp Elevator Corporation	114 Town Park Drive NW Suite 300 Kennesaw, GA 30144	Barry W Pletch, PD

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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 –Insufficient Availability
Review Committee Date:	January 29, 2003; Item #2-13
Local Preference:	Applied in accordance with the Ordinance where permitted by funding source.
Living Wage:	The services being provided are covered under the Living Wage Ordinance.
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.

REASON FOR CHANGE

Authorization is requested for additional time and spending authority. This contract is utilized by various County departments to provide elevator maintenance services. This extension will allow the Department of Procurement Management to complete the evaluation process of the successor contract. Approval of the time extension and additional spending authority will ensure continuity of services until a long-term successor contract is finalized and presented to the Board for approval.