Memorandum

MIAMI-DADE COUNTY

Date: June 3, 2010

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

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

From: Carlos Alvarez
Mayor

George M. Burgess
County Manager

Subject: Resolution Waiving Formal Bid Procedures

Recommendation

It is recommended that the Board of County Commissioners waive competitive bidding procedures for the attached contracts to purchase goods and services pursuant to Section 2-8.1 of the County Code and Section 5.03(D) of the Home Rule Charter, in the best interest of Miami-Dade County. ***Contract amounts and department allocations represent the maximum spending authority based on 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 Bid Waiver 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. Allocations have been rounded consistent with standard auditing practices.

Track Record/Monitor

There are no known performance issues with the vendors recommended for award in the accompany Bid Waiver Package. Each department's contract manager is reflected in the accompanying Bid Waiver agenda item.

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 contracts listed in the accompanying Bid Waiver Package.

Background

Section 1 BID WAIVERS

A bid wavier is a purchase of a good or service under Administrative Order 3-38 without formal competitive bidding when it is determined to be in the best interest of the County.

There are no items for this section.

Section 2 SOLE SOURCES

A sole source purchase is the procurement of a good or service under Administrative Order 3-38 for which there is no other vendor who can compete to provide the good or service, and an equal product or service is not available from any other supplier.

There are no items for this section.

Section 3 EMERGENCY PURCHASES

An emergency purchase is an unforeseen or unanticipated urgent and immediate need for goods or services where the protection of life, health, safety or welfare of the community, or the preservation of public properties, would not be possible using other purchasing methods described in Administrative Order 3-38.

There are no items for this section.

Section 4 NON-COMPETITIVE CONTRACT MODIFICATIONS

A non-competitive contract modification is a supplemental allocation for goods or services that exceed the scope of the original contract allocation, or a modification of an established non-competitive contract, representing a waiver of the competitive bidding process under Administrative Order 3-38.

Item 4.1: CA IDMS Software Licensing and Maintenance Support Services is to modify this contract for additional time and spending authority to allow the Enterprise Technology Services Department to continue to purchase CA product licensing, maintenance and support services to run the IDMS relational database and other mainframe processes. The additional amount requested is **$2,900,000**.

Section 5 CONFIRMATION (UNAUTHORIZED) PURCHASES

A confirmation purchase is a ratification action approving an unauthorized purchase in accordance with Administrative Order 3-38.

There are no items for this section.

Assistant County Manager

SECTION 4
NON-COMPETITIVE CONTRACT MODIFICATIONS

Item 4.1

Contract No.: BW8255-2/12

Contract Title: **CA IDMS Software Licensing and Maintenance Support Services**

Description: To modify this contract for additional time and spending authority for the Enterprise Technology Services Department (ETSD) to pay required maintenance and support services for current IDMS licenses provided by CA Inc. The CA IDMS software tools are used by ETSD to run the IDMS relational databases and other mainframe processes used to support departments throughout the County on a daily basis.

Type of Change: Additional time and spending authority

Existing Allocation: $7,000,000 for three years
Increase By: $2,900,000
Modification Allocation: $9,900,000

Current Expiration: June 30, 2010

Modified Expiration: June 30, 2013

Using/Managing Department and Funding Source:

Department	Existing Allocation	Additional Allocation	Modified Allocation	Funding Source	Contract Manager
Enterprise Technology Services	$7,000,000	$2,900,000	$9,900,000	Internal Service Funds	Pedro Cacicedo
Total:	**$7,000,000**	**$2,900,000**	**$9,900,000**		

Vendor:	Address	Principal
CA, Inc. (Non-local vendor)	One CA Plaza Islandia, NY	William E. McCracken

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 measure because this is a bid waiver contract.

Local Preference: The Local Preference Ordinance does not apply.

Living Wage: The services being provided are not 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.

DPM Contract Manager: Julian Manduley

REASON FOR CHANGE

The Enterprise Technology Services Department (ETSD) is requesting additional time and an increase in allocation to purchase CA product licensing, maintenance, and support services to run the IDMS relational database and other mainframe processes. ETSD uses the CA IDMS software products for many core applications that run approximately 36 million transactions annually on the County's mainframe computers including, but not limited to, the Criminal Justice Information System, Clerk of Court traffic citations, fine collections, permitting, inspections, payroll, tax assessment and collection, automobile tags, and occupational licenses. The CA IDMS database management system, programming language tools, and related products were acquired by the County in the early 1980s. Since then, the CA IDMS related toolset has become an integral part of the County's core business set of applications through its implementation in over 50 database application systems. CA IDMS provides a strong foundation for the referenced applications. Based on the County's current environment, ETSD estimates that a technology migration to a different provider's product will cost in excess of $60 million and take years to complete.

Due to the County's current budget challenges, staff has negotiated licensing and maintenance support savings opportunities with some existing software vendors. Negotiations with CA yielded a revised maintenance and support fee schedule for the requested contract extension, reducing the cost to maintain the CA IDMS software by $879,174 or 24%. Additionally, by including a three year option-to-renew (OTR) term as opposed to the two, one-year OTRs previously approved by the Board, the County gains price protection against future price increases during the renewal years.

The additional allocation requested through this modification will be sufficient to cover maintenance and support service fees through the three year period. CA, Inc. is the sole provider for the IDMS software products, including maintenance and support services. The County has a perpetual license with CA, Inc. and pays for use and maintenance of the software products as long as those licenses are in use. Approval of this modification will result in substantial savings to the County and ensure continuity of service for the mission critical applications supported, in the best interest of the County.

MEMORANDUM

(Revised)

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

DATE: June 3, 2010

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

SUBJECT: Agenda Item No. 8(O)(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**

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Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(O)(1)(C)
6-3-10

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 3rd day of June, 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