Memorandum

MIAMI-DADE COUNTY

Date:	May 4, 2010
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

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

This item is amended to remove sub item 1.1 Defibrillators, Equipment, Accessories and Maintenance as the Budget Planning and Sustainability Committee made a motion to bifurcate this item to allow staff to renegotiate with the vendor in an effort to obtain a lower price. Item 1.1 has been removed from this package.

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: Case Management Software Vendor Hosting Services is to modify this contract for additional spending authority to allow the Juvenile Services Department to purchase vendor hosting, maintenance, and support services for the Quest case management and business intelligence software. The additional amount requested is **$84,000**.

Item 4.2: Janitorial Services is to modify this contract with Respect of Florida for consolidation of three bid waiver contracts, and approval to use Transit Operating funds to purchase janitorial services. The total amount being consolidated is $7,338,000. No additional allocation required.

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.: BW8938-10/23

Contract Title: **Case Management Software Vendor Hosting Services**

Description: To modify this contract for additional spending authority for the Juvenile Services Department for ongoing vendor hosting, maintenance, and support services for Quest Case Management and Business Intelligence software. This contract is in its initial term which expires on March 4, 2013. Approval of this modification will bring the value of this contract over $100,000.

Type of Change: Additional spending authority

Existing Allocation: $ 95,000 for four years
Increase By: $ 84,000
Modification Allocation: $ 179,000

Current Expiration: March 4, 2013

Using/Managing Department and Funding Source:

Department	Existing Allocation	Additional Allocation	Modified Allocation	Funding Source	Contract Manager
Juvenile Services	$ 95,000	$84,000	$179,000	General Fund	Amy Philips - Maida
Total:	**$95,000**	**$84,000**	**$179,000**		

Vendors:	Address	Principal
Gottlieb & Wertz Inc. (Non-local vendor)	12821 E. New Market Street Suite 308 Carmel, IN 46032	Bill Gottlieb

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 – Bid Waiver

Review Committee Date: February 18, 2009; Item # 2-04

Local Preference: Not applicable

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

Additional spending authority is being requested by the Juvenile Services Department (JSD) for ongoing software hosting, maintenance, and support services for the Quest Case Management and Business Intelligence software provided by Gottlieb & Wertz Inc. Quest Case Management software provides JSD with a web-based data and case management system that analyzes current intake, screening, case management, and data management processes. The software was upgraded to allow JSD to run reports based on any combination of variables on-demand and generate customized reports to analyze performance, results, and highlight areas for required improvement. The recent software updates require additional allocation to ensure no disruption in services and pay increased maintenance, hosting and support fees throughout the initial term of the contract. These services can only be provided by the proprietary owner and developer of the software, Gottlieb & Wertz, Inc. It is therefore in the best interest of the County to approve the additional spending authority to ensure continuity of support services for the Quest Case Management software.

Item 4.2

Contract No.: BW7934-3/10-3

Contract Title: **Janitorial Services**

Description: To modify this contract to allow the consolidation of three janitorial contracts awarded by the Board, and to allow the County to improve efficient contract management. The existing Miami-Dade Police and Miami-Dade Transit (Transit) departments' contracts will be terminated upon Board approval of this modification. MDT's allocation will be funded by MDT Operating Fund.

Type of Change: Additional spending authority, contract consolidation and authorization to use MDT Operating Fund.

Existing Allocation: $3,732,000 for one year
Increase By: $3,606,000
Modification Allocation: $7,338,000

Current Expiration: February 28, 2011

Using/Managing Departments and Funding Sources:

Department	Existing Allocation	Allocations to Consolidate	Modified Allocation	Funding Source	Contract Manager
General Services Administration	$3,732,000	$ 0	$3,732,000	Internal Service Funds	Lucy Romano
Transit	$ 0	$2,448,000	$2,448,000	MDT Operating	Jose Gomez
Police	$ 0	$1,158,000	$1,158,000	General Fund	Laura Romano
Total:	**$3,732,000**	**$3,606,000**	**$7,338,000**		

Vendor:	**Address**	**Principal**
Florida Association of Rehabilitation Facilities, Inc. d/b/a RESPECT of Florida (Non-local vendor)	2475 Apalachee Parkway Suite 205 Tallahassee, FL 32301	Suzanne Sewell

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 – Bid Waiver

Review Committee Date: August 10, 2005; Item #2-02

Local Preference: Not applicable

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.

DPM Contract Manger: Janice Walters

REASON FOR CHANGE

The services provided under this contract are covered by Florida Statute 413.036 (Procurement of services by agencies; authority of department) which requires that agencies and political subdivisions in the State of Florida purchase such services from a qualified non-profit organization which employees blind or other severely handicapped persons. The Statute exempts purchasing offices from the competitive bidding requirements of Florida Statutes Chapter 287 (Procurement of Personal Property and Services), Part 1 (Commodities, Insurance, and Contractual Services), or other applicable local ordinances. The Statute requires that any contract involving the covered services be made available first to The Florida Association of Rehabilitative Facilities, Inc. d/b/a RESPECT of Florida. RESPECT of Florida is the State of Florida's central non-profit agency and works with nonprofit organizations around the state that employ persons with disabilities in the production of products and services.

This contract modification will consolidate three bid waiver janitorial service contracts currently awarded to RESPECT of Florida, a qualified non-profit organization, to continue to provide janitorial services for General Services Administration, Miami-Dade Police Headquarters Complex, and bus cleaning service for Miami-Dade Transit (Transit). Consolidation of these three bid waiver contracts will allow the County to improve efficient contract management and ease of contract oversight. The Miami-Dade Police (Police) and Transit departments' contracts will be terminated pursuant to contract provisions following Board approval of this modification. The services and allocations of the Police and Transit departments' contracts will be moved to this contract. This modification is requesting additional allocation with no fiscal impact to the County as the allocations from three existing contracts are being combined into one contract. This modification also provides Transit an allocation funded by MDT Operating Funds.

MEMORANDUM
(Revised)

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

DATE: May 4, 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)
5-4-10

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, AND AUTHORIZES THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS

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 there under, 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, and authorizes the use of Charter County Transit System Surtax Funds.

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 4th day of May, 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

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Bruce Libhaber