

Memorandum



Date: May 18, 2010

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

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

From: George M. Burgess
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. Allocations have been rounded consistent with standard auditing practices.

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

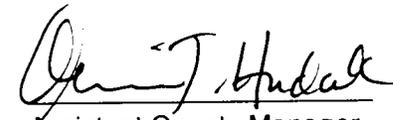
The competitively bid contract listed in this item requires approval to exercise OTRs contained in the contract that would, if exercised, bring the cumulative value of the contract over \$1 million. This contract was awarded under the County Mayor or County Mayor's designee's delegated authority (\$1 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.

The contracts in this package were awarded prior to the effective date of Ordinance 09-52 which requires the Mayor to obtain Board authorization to award contracts where the renewal options would bring the cumulative value of the contract above one million dollars (\$1,000,000).

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: Top Soil & Chattahoochee Gravel seeks authority to exercise the fourth OTR period for purchase of top soil and Chattahoochee gravel for various County departments. The amount being requested for the fourth option term is **\$165,000**.

Item No. 2: Onsite Truck, Bus & Trailer Alignment seeks authority to exercise the second OTR period for purchase of truck, bus and trailer alignment services for various County departments. The amount being requested for the second option term is **\$267,000**.


Assistant County Manager



MEMORANDUM

(Revised)

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

DATE: May 18, 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

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(O)(1)(C)
5-18-10

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 AUTHORIZING 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 18th 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 Citizen's 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.



Hugo Benitez

Item 1

Contract No.: 5986-4/11-3

Contract Title: Top Soil & Chattahoochee Gravel

Description: It is recommended that the Board authorize the County Mayor or the County Mayor's designee to exercise the fourth Option-to-Renew (OTR) period for top soil and Chattahoochee gravel. The contract is in its third OTR period which expires August 31, 2010, and has a one-year OTR remaining. Exercising the fourth OTR will bring the cumulative value over \$1 million.

Initial Contract Term and

Usage:	September 1, 2006 to August 31, 2007	\$ 229,000
First OTR and Usage:	September 1, 2007 to August 31, 2008	\$ 229,000
Second OTR and Usage:	September 1, 2008 to August 31, 2009	\$ 229,000
Third OTR and Estimated Usage:	September 1, 2009 to August 31, 2010	\$ 187,000
Fourth OTR and Estimated Usage:	September 1, 2010 to August 31, 2011	\$ 165,000
Cumulative Value:		\$1,039,000

Includes the following modifications:

Term	Department	Amount of Change	Type of Change
Third OTR	Aviation, Water and Sewer, Seaport	(\$42,000)	Decrease
Fourth OTR	Park and Recreation Department	(\$22,000)	Decrease

Using/Managing Departments and Funding Sources:

Departments	Allocation	Funding Sources	Contract Managers
Park and Recreation	\$150,000	General Fund / Proprietary Funds	Jose Ponce
Seaport	\$ 10,000	Proprietary Funds	Phil Rose
Vizcaya	\$ 5,000	Proprietary Funds	Ian Simpkins
Total:	\$165,000		

Vendors:	Address	Principal
Austin Tupler Trucking, Inc. (Local vendor)	6570 SW 47 Court Ft. Lauderdale, FL	Austin Tupler
Black Velvet Top Soil, Inc. (Local vendor)	13205 SW 137 Avenue Miami, FL	Joseph K. Sirgany

Pro Grounds Products, Inc. (Local vendor)	8834 SW 131 Street Miami, FL	Kimberly S. Hardy
Sunshine Trucking Corp. (Local vendor)	8645 SW 109 Street Miami, FL	Jose Casas
Allied Trucking of Florida, Inc. (Local vendor)	10741-10761 NW 89 Avenue Hialeah Gardens, FL	Raul Smith
Florida Silica Sand Company (Local vendor)	4491 South State Road 7 Ft. Lauderdale, FL	Betty Pegram

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 is applied at the point of competition.

Local Preference: The Local Preference Ordinance applies to spot market quotes.

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.

DPM Contract Manager: Roma Campbell

JUSTIFICATION

This contract provides top soil and Chattahoochee gravel for various County departments. The contract established a pre-qualified pool of bidders to allow spot market competitions for each purchase, thus assuring the best opportunity to obtain the most competitive pricing. Vendors who meet the criteria established in the original solicitation may be added during the term of the contract. This allows for additional competition and competitive pricing. It is therefore in the best interest of the County to exercise the fourth option-to-renew.

Item 2

Contract No.: 7328-4/13-1

Contract Title: Onsite Truck, Bus & Trailer Alignment

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) period for onsite truck, bus and trailer alignment services. The contract is in its first OTR period which expires June 30, 2010, and has three one-year OTRs remaining. Exercising the second OTR will bring the cumulative value over \$1 million.

Initial Contract Term and

Usage: July 1, 2008 to June 30, 2009 \$ 484,000

First OTR and Estimated

Usage: July 1, 2009 to June 30, 2010 \$ 484,000

Second OTR and Estimated

Usage: July 1, 2010 to June 30, 2011 \$ 267,000

Cumulative Value: **\$1,235,000**

Includes the following modifications:

Term	Department	Amount of Change	Type of Change
Second OTR	General Services Administration	(\$144,000)	Decrease
Second OTR	Transit	(\$73,000)	Decrease

Using/Managing Departments and Funding Sources:

Departments	Allocation	Funding Sources	Contract Managers
Fire Rescue	\$ 7,000	Fire District	Marianela Betancourt
General Services Administration	\$ 85,000	Internal Service Funds	Martin Dareff
Transit	<u>\$175,000</u>	MDT Operating	Juan Garcia
Total:	\$267,000		

Vendor:	Address	Principal
On Road Wheel Alignment Corp. (Local vendor)	881 SE 5 Place Hialeah, FL	Yaniel Guerra

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

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

- Contract Measure:** The Small Business Enterprise Bid Preference was applied in accordance with the Ordinance.
- 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.
- DPM Contract Manager:** Steven Kulick

JUSTIFICATION

This contract is utilized by various County departments for purchase of onsite truck and bus trailer alignment services. The services ensure the safe operation of fleet buses and support vehicles. Market research indicates that the contract prices are lower, or comparable to, prices in the industry. The contract allows the vendor to request a price adjustment based on the Consumer Price Index (CPI) in the Miami-Ft Lauderdale Area. The February 2010 CPI for Urban Wage Earners and Clerical Workers, Other Goods and Services increased by 10.9%. On Road Wheel Alignment Corp. did not request an increase for this option-to-renew (OTR) period thus maintaining the original pricing without any price increments. It is therefore in the best interest of the County to exercise the second OTR for onsite truck and bus trailer alignment services.