

Memorandum



Date: February 1, 2011

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

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

From: George M. Burgess
County Manager

Subject: Award of Contract No. 9252-WS: Sewer Inspection and Grout Repair
Vehicles

RECOMMENDATION

It is recommended that the Board of County Commissioners approve award of this contract to ELXSI Inc. d/b/a Cues to provide sewer inspection and grout repair vehicles for Miami-Dade Water and Sewer Department.

CONTRACT NUMBER: 9252-WS

CONTRACT TITLE: Sewer Inspection and Grout Repair Vehicles

TERM: One-time purchase

APPROVAL TO ADVERTISE: January 15, 2010

METHOD OF AWARD: To the responsive and responsible bidder offering the lowest price per item.

PREVIOUS CONTRACT AMOUNT: There is no previous contract.

CONTRACT AMOUNT: \$1,683,000

USING/MANAGING AGENCY AND FUNDING SOURCE:

Department	Allocation	Funding Source	Contract Manager
Miami-Dade Water and Sewer Department	\$1,683,000	Proprietary Funds	Gregory Hicks

DPM AGENT/OFFICER: Pablo Martinez, Department of Procurement Management

VENDOR RECOMMENDED FOR AWARD:

Vendor	Address	Principal
ELXSI Inc. d/b/a Cues (Non-local vendor)	3600 Rio Vista Avenue Suite A Orlando, Florida 32837	Alexander M. Milley

PERFORMANCE DATA: There are no performance issues with the recommended firm.

COMPLIANCE DATA: There are no compliance issues with the recommended firm.

VENDOR(S) NOT RECOMMENDED FOR AWARD: Aries Industries, Inc. was deemed non-responsible, because Aries offered a wheeled camera transporter with a large line kit, instead of a built-in 2-speed transmission, as required in Section 3, Paragraph 3.40.4, of the bid specifications. Aries does not meet this requirement because the vendor offered a camera transporter that does not meet the specification requirements.

REVIEW COMMITTEE DATE: November 10, 2009; Item #6-10

CONTRACT MEASURES: The Small Business Enterprise Bid Preference was applied in accordance with the Ordinance.

LIVING WAGE: The Living Wage Ordinance is not applicable.

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 was applied in accordance with the Ordinance. The preference did not affect the award of the contract.

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

BACKGROUND

This contract is for purchase of nine sewer inspection and grout repair vehicles for the Miami-Dade Water and Sewer Department. Sewer inspection and grout repair vehicles are used to inspect the condition of sewer mains and service laterals, and to seal mainline joints and service connections. Sewer inspections and repairs are performed throughout Miami-Dade County to maintain underground utility infrastructure, and to prevent groundwater contamination.

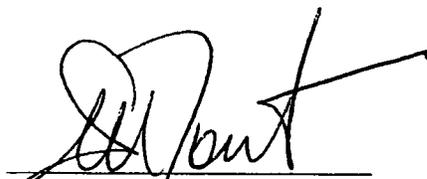
Based on the County Attorney's Office (CAO) finding that the bid from Aries Industries, Inc. (Aries), the low bidder, was nonresponsive, the recommendation was made to award to ELXSI Inc. d/b/a Cues, the second low bidder. Following the County Manager's approval and posting of the award recommendation with the Clerk of the Board, Aries filed a timely bid protest. On August 4, 2010, the CAO issued a revised and superseding legal opinion, stating that Aries' bid is responsive and that the administration should proceed to determine if the equipment offered by Aries met the technical requirements of the bid.

Aries was invited to demonstrate the equipment offered to the County. On August 16, 2010, Aries conducted an equipment demonstration at Miami-Dade Water and Sewer Department's (WASD) South Miami Heights Facility. Aries explained at the demonstration that they were unable to bring a TV Inspection and grout repair vehicle, as proposed in their bid submittal, because it would have taken several months to build the vehicle. Instead, Aries brought two different trucks, one with a TV inspection system and the second vehicle equipped with a grout and seal system. Aries demonstrated the camera, transporter, pole camera inspection system, and grouting system.

WASD and the Department of Procurement Management staff met to discuss the equipment demonstration and determined that Aries Industries' offer does not meet the specification requirement, because Aries offered a wheeled camera transporter with a large line kit, instead of a built-in 2-speed transmission, as required in Section 3, Paragraph 3.40.4, of the bid specifications.

An equipment demonstration has been scheduled with ELXSI Inc. d/b/a Cues to confirm the results of the technical analysis by WASD that the vendor's offer meets the specification requirements.

Attachments



Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 1, 2011

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

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

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)(I)
2-1-11

RESOLUTION NO. _____

RESOLUTION APPROVING AWARD OF CONTRACT NO. 9252-WS: SEWER INSPECTION AND GROUT REPAIR VEHICLES, TO ELXSI, INC. D/B/A CUES IN THE AMOUNT OF \$1,683,000; AND AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXECUTE THE CONTRACT AND TO EXERCISE ANY RENEWAL AND CANCELLATION PROVISIONS CONTAINED THEREIN

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 hereby approves the award of Contract no. 9252-WS: Sewer Inspection and Grout Repair Vehicles, to ELXSI, Inc. D/B/A Cues, in the amount of \$1,683,000 and authorizes the County Mayor or designee to execute the contract and to exercise any renewal and cancellation provisions contained therein.

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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

5

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of February, 2011. 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.

Henry N. Gillman



Memorandum



Date: August 4, 2010

To: Pablo Martinez, CPPB
Senior Procurement Contracting Agent
Department of Procurement Management

From: Henry N. Gillman
Assistant County Attorney

Subject: ITB No. 9252-WS: Sewer Inspection and Grout Repair Vehicles for Miami-Dadse Water and Sewer Department

This memorandum supersedes and replaces the memorandum dated June 10, 2010 in which the undersigned found that the bid submitted by Aries Industries, Inc. ("Aries") was nonresponsive (attached hereto).

On February 17, 2010, the Department of Procurement Management ("DPM") received bids from two bidders in response to ITB No. 9252-WS: Sewer Inspection and Grout Repair Vehicles for Miami Dade Water and Sewer Department ("ITB"). The purpose of the ITB is to purchase 9 sewer inspection and grout repair vehicles for the Miami-Dade Water and Sewer Department ("WASD"). Aries was the low bidder with a bid price of \$185,430.00 per vehicle for a total of \$1,668,870.00. ELXSI d/b/a CUES submitted a bid price of \$187,000.00 per vehicle for a total of \$1,683,000.00.

On May 6, 2010, DPM requested a responsiveness opinion from the County Attorney's Office (attached hereto). The June 10, 2010 opinion from the undersigned Assistant County Attorney was based on the information provided in DPM's May 6, 2010 memorandum. DPM's memo referred, inter alia, to certain technical specifications regarding two types of cameras. Section 3.26 of the technical specifications required that the Pan, Tilt and Optical Zoom Camera have built-in field replaceable lamps. Section 3.26.3 specifically provides that "cameras that do not contain field replacement lighting will be deemed unacceptable." Section 3.27.9 provides that the LED light module must be able to be installed by the operator in the field. For the Pole Mounted Camera Inspection System, Section 3.41.6 of the technical specifications required that the wireless transmitter and battery be incorporated in the Pole Assembly.

The undersigned treated these requirements as issues of responsiveness instead of responsibility and found that Aries' bid was nonresponsive. However, upon further review and inspection of Aries' bid and applicable legal authorities, the undersigned has reconsidered his opinion and determined that Aries' bid should not have been rejected as nonresponsive because the requirements at issue are related to Aries' responsibility, not the responsiveness of the bid.

As a general matter, a responsive proposal "is submitted on the correct forms, and contains all required information, signatures, and notarizations." *Intercontinental Properties, Inc. v. State Department of Health and Rehabilitative Services*, 606 So. 2d 380 (Fla. 3rd DCA 1992). A bid is not responsive if it cannot form the basis of a contract, or if it contains deviations which provide the bidder with a material advantage over other bidders. *Robinson Electric Co. v. Dade County*, 417 So. 2d 1032, 0134 (Fla. 3rd DCA 1982). Whether a bid is responsive concerns a bidder's unequivocal promise, as shown on the face of its bid, to provide the items or services called for by the material terms of the bid. *In the Matter of Red John's Stone, Inc.*, 1998 WL 869550 (Comp. Gen. 1998). In discussing responsibility and bid responsiveness, the Comptroller General stated: "Unless something on the face of the bid limits, reduces, or modifies the obligation of a prospective contractor to perform in

accordance with the terms of the invitation, the bid must be considered responsive." *Comptroller General to the Secretary of the Army*, 1973 WL 8799 (Comp. Gen. 1973) (citations omitted).

Aries' bid includes a "Compliance with Bid Requirements Checklist" in which Aries affirmatively indicated that its proposal complies with the requirements of each numbered section within the solicitation document and technical specifications (attached hereto). Aries' Checklist and technical components of Aries' bid reflects that Aries did not expressly take exception to any of the bid requirements.

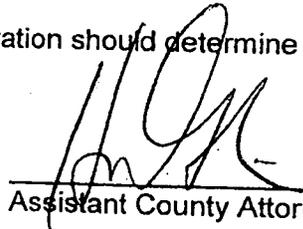
Since Aries unequivocally promised to provide the equipment required by the ITB and Aries' proposal does not expressly take exceptions to the requirements in the ITB, Aries has obligated itself to perform in accordance with the terms of the ITB. Thus, Aries bid is responsive.

Whether a bidder is responsible concerns whether the bidder can perform the work as provided in the bid. The term "responsible" has been defined as follows:

The term 'responsible' is not limited in its meaning to financial resources and ability. * * * authorizations of this kind are held to invest public authorities with discretionary power to pass upon the honesty and integrity of the bidder necessary to a faithful performance of the contract, upon his skill and business judgment, his experience and his facilities for carrying out the contract, his previous conduct under other contracts, and the quality of his previous work as well as to pass upon his pecuniary ability.

Couch Construction Co. v. Department of Transportation, 361 So.2d 184 (Fla. 1st DCA 1978). The bidder's ability to perform may be furnished up to the time of award. *Matter of Joint Venture Conscoop-Meyerinck*, 1998 WL 119279 (Comp Gen. 1998).

Since Aries bid is responsive, the Administration should determine whether Aries is a responsible bidder based on the above analysis.


Assistant County Attorney

Date: June 10, 2010

To: Pablo Martinez, CPPB
Senior Procurement Contracting Agent
Department of Procurement Management

From: Henry Gillman
Assistant County Attorney

Subject: ITB No. 9252-WS: Sewer Inspection and Grout Repair Vehicles for Miami-Dade
Water and Sewer Department

You have requested an opinion on whether the bids by ARIES Industries Inc. and ELXIS, Inc. d/b/a CUES ("CUES") are responsive to the above-referenced Invitation to Bid ("ITB"). For the reasons set forth below, it is our opinion that the bid by ARIES is nonresponsive and the bid by CUES is responsive to the ITB.

FACTS

We rely on the information provided in your memorandum to this office dated May 6, 2009 attached hereto. The technical specifications for Bid no. 9252-WS include various requirements for the vehicle and camera that will be used to perform sewer inspections and grout repair. Both the primary bid and alternate bid submitted by ARIES include several deviations to the requirements in the ITB. For example, both of ARIES' bids do not include an inspection camera with field replaceable LED lamps as required by Sections 3.26.3 and 3.27.9 of the ITB. Section 3.26.3 states "The Optical Zoom Pan and Tilt Camera must have built in field replaceable lamps that provide lighting for 6"-42" pipe with no requirement to added external lighting." Section 3.27.9 states: "The LED light module must be able to be installed as an integrated LED light module by the operator in the field as an alternative to the halogen based light module." Contrary to the bid specifications, ARIES' bid includes an inspection camera with maintenance free LED lights. Additionally, neither bid submitted by ARIES includes a pole mounted camera inspection system with the transmitter and battery housed in the pole assembly. Section 3.41.6 requires that the transmitter for wireless video and the battery be incorporated in the pole assembly. ARIES bid includes a camera with the transmitter and battery housed on the outside of the pole.

Section 3.7 of the Technical Specifications requires that the interior of the "step van" style vehicle be a minimum of 92 inches wide and 84 inches in height. The dimensions for the step van in CUES' bid provides for a minimum of 90 inches wide and 82 inches in height.

You indicated that the above specifications are material requirements for the camera and the vehicle. In response to requests for clarification regarding their bids, ARIES confirmed that the inspection camera had maintenance-free lights and that the battery is housed at the top of the pole camera assembly. A picture of the camera shows that the battery is on the outside of the pole. CUES provided documentation that the dimensions of the step van body in its bid meets the minimum specifications for the height and width required by the ITB.

DISCUSSION

Based on the facts set forth above, DPM may not consider ARIES' bid as responsive to the ITB. In general, a bid may be rejected or disregarded if there is a material variance between the bid and the advertisement. See *Robinson Electric Co. v. Dade County*, 417 So. 2d 1032, (Fla. 3d DCA 1982).

Only when a variance is immaterial or "minor" is a bidder permitted to withdraw the variance. *Harry Pepper & Associates, Inc. v. City of Cape Coral*, 352 So. 2d 1190, 1129 (Fla. 2nd DCA 1977) ("a bidder cannot be permitted to change his bid after the bids have been opened, except to cure minor irregularities"). Bidders who propose impermissible exceptions to invitations to bid do so at the risk those exceptions are deemed material to the proposal and having their bid rejected as nonresponsive.

A determination of whether a variance or irregularity is minor is fact specific and may differ from bid to bid. There is a two part test to determine if a specific noncompliance in a bid constitutes a substantial and thus nonwaivable issue: (1) whether the effect of the waiver would be to deprive the County of the assurance that the contract would be entered into, performed and guaranteed according to its specific requirements; and (2) whether it would adversely affect competitive bidding by placing a bidder in a position of advantage over other bidders. See e.g. *Glatstein v. City of Miami*, 399 So. 2d 1005 (Fla. 3rd DCA), rev. denied, 407 So. 2d 1102 (Fla. 1981).

Here, ARIES' bid deviated from the bid specifications, namely, with regard to the requirement that the LED lights be replaceable in the field and that the battery be housed in the pole assembly. Section 3.26.3 of the ITB expressly states: "cameras that do not contain field replaceable lighting will be deemed not acceptable." Clearly, the Department determined that replacement lighting is a material requirement of the ITB. Since ARIES bid includes material variances or exceptions to the ITB, such variances are not irregularities or technicalities that may be waived pursuant to Section 1.5 of the ITB.

Based on the foregoing, it is our opinion that the bid by ARIES is nonresponsive to the ITB.

Date: May 6, 2010

To: Hugo Benitez
Assistant County Attorney
County Attorney's Office

From: Pablo Martinez, CPPB
Senior Procurement Contracting Agent
Department of Procurement Management

Subject: Request for Responsiveness Determination on ITB No. 9252-WS: Sewer Inspection and Grout Repair Vehicles for Miami-Dade Water and Sewer Department

On February 17, 2010, bids were received for the subject solicitation. Please provide a legal opinion on the responsiveness of the bids received from the following vendors. In addition, please advise if any of the areas cited below fall within the "irregularities or technicalities" that may be waived, as per Section 1, Paragraph 1.5, A, of the bid solicitation.

Vendor

Aries Industries, Inc. (Original Bid)

Observations

1) This vendor offered an inspection camera with maintenance-free LED lights. Section 3, Paragraph 3.26 and 3.27.9, of the bid specifications require that the LED lamps be replaceable in the field.

2) This vendor is offering an air-cooled electrical generator, and notes the following in their proposal: "*The manufacturer advises against the use of slide out rails for generator mounting. The rails interfere with airflow across the bottom of the unit. This results in the unit overheating and shutting down.*" Section 3, Paragraph 3.13.2, of the bid, requires that the generator be mounted on a slide-out tray.

3) This vendor is offering a pole camera inspection system with the battery housed in the pole camera assembly, at the top of the pole. Section 3, Paragraph 3.41.6, requires that the battery be housed in the pole assembly.

4) A copy of this vendor's State of Florida Motor Vehicle Dealer License was requested, as required by Chapter 320 of the Florida Statutes (SS320.27), but the vendor did not have a motor vehicle dealer license and did not provide the license within the timeframe allowed by the County (February 26, 2010), as per Section 2, Paragraph 2.9.19, of the bid document. Recently, Aries acquired the motor vehicle dealer license and provided a copy of the license to the County.

Vendor
Aries Industries, Inc. (Alternate Bid)

Observations

1) This vendor offered an inspection camera with maintenance-free LED lights. Section 3, Paragraph 3.26 and 3.27.9, of the bid specifications require that the LED lamps be replaceable in the field.

2) This vendor is offering a pole camera inspection system with the battery housed in the pole camera assembly, at the top of the pole. Section 3, Paragraph 3.41.6, requires that the battery be housed in the pole assembly.

3) A copy of this vendor's State of Florida Motor Vehicle Dealer License was requested, as required by Chapter 320 of the Florida Statutes (SS320.27), but the vendor did not have a motor vehicle dealer license and did not provide the license within the timeframe allowed by the County (February 26, 2010), as per Section 2, Paragraph 2.9.19, of the bid document. Recently, Aries acquired the motor vehicle dealer license and provided a copy of the license to the County.

Vendor
ELXIS, Inc. d/b/a CUES

Observations

This vendor offered a step van body, with an interior height of 82" minimum, and a width of 90" minimum. Section 3, Paragraph 3.7, of the bid solicitation, entitled "Vehicle Body", requires an interior body height of 84" minimum, and an interior width of 92" minimum.

Miami-Dade Water and Sewer staff has reviewed the bids and Department of Procurement staff has determined that the areas cited above, require a determination of responsiveness.

Attached you will find a copy of the bid submittals for the vendor cited above, a copy of Bid Solicitation 9252-WS, and related addendum.

If you have any questions, please contact me at 305-375-2102 or via email address mpablo@miamidade.gov.

Thank you very much for your attention to this matter.

BID SUBMITTAL FORM

Sewer Inspection and Grout Repair Vehicles for Miami-Dade Water and Sewer Department

FIRM NAME: Aries Industries, Inc.

Sewer Inspection and Grout Repair Vehicles

Item No.	Description	Estimated Quantities	Unit Price (Each)	Extended Total
1.	Sewer Inspection and Grout Repair Vehicle, as per the Technical Specifications in Section 3, of this solicitation.	9	\$ 185,430.00	\$ 1,668,870.00
	<u>Manufacturer:</u> Ford			
	<u>Model No.:</u> F59			
	<u>Engine:</u> 6.8L V10 Ford Gas			
	<u>Transmission:</u> Ford Automatic 5-Speed			
AGGREGATE TOTAL				\$ 1,668,870.00

Pursuant to Section 2, Paragraph 2.9.14, of this bid solicitation, indicate the delivery lead-time below.

Delivery: 270 Days A.R.O. (After Receipt of Order)

Bidder's Submittal Checklist

- In accordance with Section 2, Paragraph 2.6.1, and Section 3, Paragraph 3.3, of this bid solicitation, bidders shall furnish a loaded and unloaded weight chart stipulating the GVWR and GAWR of the vehicle being offered, with the bid submittal, or during the evaluation period.
- In accordance with Section 2, Paragraph 2.6.1, bidders shall furnish the following with the bid submittal proposal, or during the evaluation period:
 - A. Detailed component list
 - B. Complete system specifications
 - C. Literature describing all major components
 - D. List of users of similar type equipment, a minimum of 3 references of sewer utilities shall be provided.

REFERENCES: *(SEE SECTION 8 OF ARIES PROPOSAL FOR REFERENCES)**

NAME OF ORGANIZATION	NAME OF CONTACT PERSON	PHONE NO. / EMAIL	DESCRIBE THE TYPE OF EQUIPMENT

FIRM NAME: Aries Industries, Inc.

Compliance with Bid Requirements Check List

Bidder must indicate whether or not your proposal complies with the requirements of each numbered section within the solicitation document and Technical Specifications. Provide comments where appropriate.

Bid Solicitation Section	Comply	Do Not Comply	Comments
Section 1 - General Terms and Conditions	✓		
Section 2 - Special Terms and Conditions			
2.1 PURPOSE	✓		
2.2 SMALL BUSINESS CONTRACT MEASURES	✓		
2.3 PRE-BID CONFERENCE	✓		
2.4 TERM OF CONTRACT: UPON DELIVERY	✓		
2.5 OPTION TO RENEW	N/A	N/A	
2.6 METHOD OF AWARD TO SINGLE VENDOR	✓		
Paragraph 2.6.1 - Required Bid Submittals	✓		
2.7 PRICES SHALL BE FIXED & FIRM FOR TERM OF CONTRACT	✓		
2.8 EXAMINATION OF COUNTY FACILITIES AND INSPECTION OF COUNTY EQUIPMENT	N/A	N/A	
2.9 SPECIAL CONDITIONS FOR BIDDING MOBILE EQUIPMENT			
BIDDING EQUAL PRODUCTS, NO SUBSTITUTION COMPONENTS, MANUFACTURER'S CATALOGUES / BROCHURES AND PRODUCT DEMONSTRATIONS	✓		
Paragraph 2.9.1	✓		
Paragraph 2.9.2	✓		
Paragraph 2.9.3	✓		
Paragraph 2.9.4	✓		
Paragraph 2.9.5	✓		
EQUIPMENT FURNISHED	✓		
Paragraph 2.9.6	✓		
Paragraph 2.9.7	✓		
BIDDER STATUS	✓		
Paragraph 2.9.8	✓		
Paragraph 2.9.9	✓		
WARRANTY REQUIREMENTS	✓		
Paragraph 2.9.10	✓		
Paragraph 2.9.11	✓		
Paragraph 2.9.12	✓		
DELIVERY AND PAYMENT	✓		
Paragraph 2.9.13	✓		
Paragraph 2.9.14	✓		
Paragraph 2.9.15	✓		
Paragraph 2.9.16	✓		
Paragraph 2.9.17	✓		

Sewer Inspection and Grout Repair Vehicles for Miami-Dade Water and Sewer Department

FIRM NAME: Aries Industries, Inc.

Bid Solicitation Section	Comply	Do Not Comply	Comments
PARTS, REPAIRS AND TRAINING MANUALS	✓		
Paragraph 2.9.18	✓		
MOTOR VEHICLE LICENSE REQUIREMENT	✓		
Paragraph 2.9.19	✓		
PRE-CONSTRUCTION CONFERENCE	✓		
Paragraph 2.9.20	✓		
PRODUCTION/PROTOTYPE INSPECTION	✓		
Paragraph 2.9.21	✓		
2.10 LIQUIDATED DAMAGES	✓		
2.11 INDEMNIFICATION AND INSURANCE	✓		
2.12 BID GUARANTY	N/A	N/A	
2.13 PERFORMANCE BOND	N/A	N/A	
2.14 CERTIFICATIONS	N/A	N/A	
2.15 METHOD OF PAYMENT	✓		
2.16 SHIPPING TERMS	✓		
2.17 DELIVERY REQUIREMENTS	✓		
2.18 BACK ORDER ALLOWANCES	N/A	N/A	
2.19 WARRANTY REQUIREMENTS	✓		
2.20 CONTACT PERSON	N/A	N/A	
2.21 USER ACCESS PROGRAM	✓		
2.22 DEMONSTRATION OF COMPETENCY REQUIREMENTS:	✓		
SECTION 3 TECHNICAL SPECIFICATIONS			
3.1 GENERAL REQUIREMENTS	✓		
3.2 VEHICLE REQUIREMENTS	✓		
3.3 GROSS VEHICLE WEIGHT RATING	✓		
3.4 ENGINE AND TRANSMISSION	✓		
3.5 WHEELBASE	✓		
3.6 TIRES	✓		
3.7 VEHICLE BODY	✓		
3.7.1 BODY	✓		
3.7.2 CROSS MEMBERS	✓		
3.7.3 LONG SILLS	✓		
3.7.4 FLOOR	✓		
3.7.5 REAR DOORS	✓		
3.7.6 ROOF	✓		
3.7.7 EXTERIOR	✓		
3.7.8 GRAB HANDLES	✓		
3.7.9 ELECTRICAL	✓		
3.8 AIR-CONDITIONING	✓		
3.9 EXTERIOR LIGHTING	✓		
3.10 INTERIOR VAN BODY	✓		
3.11 CONTROL ROOM	✓		
3.12 EQUIPMENT/STORAGE ROOM	✓		
3.13 GENERATOR WITH ELECTRIC START	✓		

15

FIRM NAME: Aries Industries, Inc.

Bid Solicitation Section	Comply	Do Not Comply	Comments
3.14 SYSTEM ENGINEERING PANEL	✓		
3.15 CAMERA POWER CONTROL UNIT - MULTI CONDUCTOR	✓		
3.16 POWER CONTROL UNIT MINIMUM TECHNICAL REQUIREMENTS	✓		
3.17 POWER CONTROL UNIT REMOTE CAMERA ADJUSTMENT	✓		
3.17.1 FOCUS CONTROL	✓		
3.17.2 AUTOMATIC IRIS CONTROL	✓		
3.18 17" COLOR FLATSCREEN LCD MONITOR - NTSC, PAL AUTO SELECT	✓		
3.19 VIDEO FOOTAGE AND DATA SYSTEM	✓		
Paragraph 3.19.1	✓		
Paragraph 3.19.2	✓		
Paragraph 3.19.3	✓		
3.19.4 IMAGE CAPTURE	✓		
3.19.5 VIDEO CAPTURE	✓		
3.19.6 DATABASE	✓		
3.19.7 USER INTERFACE	✓		
3.19.8 INSPECTION	✓		
3.19.9 DATA FILTER	✓		
3.19.10 TITLER	✓		
3.19.11 PRINTER	✓		
3.19.12 MODULES	✓		
3.19.13 SUPPORT	✓		
3.20 ESRI PLUG-IN MODULE	✓		
3.20.1 ARCGIS INTEGRATION	✓		
3.20.2 IMPORTING ASSET DATA FROM ARCGIS TO TV UNIT'S SOFTWARE PROGRAM	✓		
3.20.3 MAP VIEW PLUG-IN	✓		
3.20.4 EXPORTING ASSETS FROM UNIT'S SOFTWARE	✓		
3.21 INCLINATION MODULE	✓		
3.21.1 INCLINOMETER MODULE	✓		
3.22 GROUT MODULE	✓		
3.23 FOOTAGE AND DATA GENERATOR	✓		
3.23.1 INPUTS	✓		
3.23.2 OUTPUTS	✓		
3.23.3 DISPLAY LINES	✓		
3.24 SOFTWARE FEATURES	✓		
3.24.1 DISPLAY MODE	✓		
3.24.2 CONTROLS	✓		
3.24.3 HARD COPY DATA	✓		
3.24.4 POWER	✓		
3.24.5 BATTERY BACKUP	✓		
3.25 INSPECTION REPORTS	✓		
3.25.1 DISTANCE COUNTERS	✓		
3.25.2 DISPLAY OPTIONS	✓		
3.25.3 GENERAL INFORMATION	✓		

16

Sewer Inspection and Grout Repair Vehicles for Miami-Dade Water and Sewer Department

FIRM NAME: Aries Industries, Inc.

Bid Solicitation Section	Comply	Do Not Comply	Comments
3.25.4 POINTING ARROW	✓		
3.25.5 ONSCREEN COMMENTS	✓		
3.25.6 DATE AND TIME	✓		
3.25.7 PRESSURE	✓		
3.25.8 INCLINATION	✓		
3.25.9 DEFECT CODES	✓		
3.26 PAN, TILT, AND OPTICAL ZOOM CAMERA	✓		
3.27 CAMERA			
3.27.1 through 3.27.4	✓		
3.27.5 CAMERA OPTICAL AND DIGITAL ZOOM	✓		
3.27.6 PAN AND ROTATE SPEEDS	✓		
3.27.7 CAMERA HOUSING	✓		
3.27.8 MOUNTING FORK	✓		
3.27.9 CAMERA LIGHTING	✓		
3.27.10 CAMERA CONTROLLER	✓		
3.28 ELECTRICAL SPECIFICATIONS AND CAMERA REQUIREMENTS	✓		
3.28.1 VIDEO OUTPUT	✓		
3.28.2 IMAGE PICK-UP DEVICE	✓		
3.28.3 PICTURE ELEMENTS (PIXELS)	✓		
3.28.4 LENS	✓		
3.28.5 DIGITAL ZOOM	✓		
3.28.6 FIELD OF VIEW	✓		
3.28.7 RESOLUTION LINES	✓		
3.28.8 ELECTRONIC SHUTTER	✓		
3.28.9 MINIMUM ILLUMINATION	✓		
3.28.10 INPUT CAMERA VOLTAGE	✓		
3.28.11 HEAD ROTATION	✓		
3.28.12 INTERNAL DIAGNOSTICS	✓		
3.28.13 WORKING PRESSURE	✓		
3.28.14 OPERATING TEMPERATURE	✓		
3.28.15 COMPATIBLE PCU (POWER CONTROL UNITS)	✓		
3.28.16 DIMENSIONS	✓		
3.29 TV CABLE REEL ASSEMBLY	✓		
3.30 TV CABLE REEL SLIP RING ASSEMBLY	✓		
3.31 CABLE FOOTAGE METER, LOCAL / REMOTE ELECTRONIC READOUT:	✓		
3.32 CONTROLLER TV CABLE REEL MOTOR/POWER WINCH MOTOR	✓		
3.33 TV CABLE REEL CONTROL REMOTE AND LOCAL	✓		
3.34 COMBINATION VIDEO TRANSMISSION / TOW CABLE - MULTI-CONDUCTOR	✓		
3.34.1 TV CABLE	✓		
3.34.2 CABLE JACKET	✓		
3.34.3 CABLE CONNECTION	✓		
3.35 MULTI-GROUT CHEMICAL LOW VISCOSITY PUMPING SYSTEM	✓		

Bid Solicitation Section	Comply	Do Not Comply	Comments
3.35.1 CHEMICAL TANK ASSEMBLY	✓		
3.35.2 CHEMICAL HOSE REEL ASSEMBLY	✓		
3.35.3 PENTA 5 LINE CHEMICAL / AIR HOSE	✓		
3.35.4 CHEMICAL HANDLING / SAFETY PACKAGE	✓		
3.35.5 TEST AND SEAL CONTROL CENTER	✓		
3.35.6 REMOTE PRESSURE SENSING	✓		
3.35.7 TEST AND SEAL PACKERS	✓		
3.35.8 ELECTRIC AIR COMPRESSOR	✓		
3.36 REMOTE ELECTRIC POWER WINCH	✓		
3.37 ELECTRIC WINCH POWER CABLE	✓		
3.38 LOW PROFILE CAMERA TRANSPORTATION SKID (6" PIPE SIZES)	✓		
3.38.1 CAMERA TRANSPORTATION SKIDS (8" - 30" PIPE SIZES)	✓		
3.38.2 SKID SPACER PLATES	✓		
3.38.3 SKID RUNNERS	✓		
3.38.4 SKID GUARDS	✓		
3.39 SELF-PROPELLED CAMERA TRANSPORTER TRAC-DRIVEN	✓		
3.39.1 TRANSPORTER	✓		
3.39.2 CONTROLLER	✓		
3.39.3 WEIGHTED TRACK WIDTH ADJUSTMENT BARS	✓		
3.40 WHEELED COMPACT CAMERA TRANSPORTER WITH PROPORTIONAL STEERING	✓		
3.40.1 through 3.40.5			
3.40.6 TRANSPORTER	✓		
3.40.7 CAMERA COMPATIBILITY	✓		
3.40.8 POWER SUPPLY	✓		
3.40.9 TRANSPORTER CONTROLLER	✓		
3.41 POLE MOUNTED CAMERA INSPECTION SYSTEM - COLOR/IR (B/W) BASE UNIT	✓		
3.41.1 CAMERA ASSEMBLY	✓		
3.41.2 CAMERA HOUSING	✓		
3.41.3 LIGHT RING ASSEMBLY	✓		
3.41.4 TELESCOPING POLE	✓		
3.41.5 ELECTRICAL SPECIFICATIONS AND CAMERA REQUIREMENTS	✓		
3.41.6 WIRELESS VIDEO TRANSMISSION WITH INTERNAL BATTERY AND TRANSMITTER BUILT-IN POLE ASSEMBLY	✓		
3.41.7 TRANSMITTER	✓		
3.41.8 BATTERY	✓		
3.41.9 MISCELLANEOUS	✓		

Sewer Inspection and Grout Repair Vehicles for Miami-Dade Water and Sewer Department

FIRM NAME: Aries Industries, Inc.

Bid Solicitation Section	Comply	Do Not Comply	Comments
3.41.10 TRANSMITTER SPECIFICATIONS	✓		
3.42 CABLE GUIDE EQUIPMENT, TV AND SEAL	✓		
3.43 RETRIEVAL TOOL FOR CAMERA, SKIDS AND TRANSPORTER	✓		
3.44 PEDESTAL CRANE	✓		
3.44.1 CRANE TYPE / CAPACITY	✓		
3.44.2 BOOM HEIGHT	✓		
3.44.3 BOOM LENGTH	✓		
3.44.4 ROTATION	✓		
3.44.5 ROTATION LOCK	✓		
3.44.6 HOIST	✓		
3.44.7 CABLE	✓		
3.44.8 CONTROL	✓		
3.44.9 POWER SOURCE	✓		
3.44.10 WIRING	✓		
3.44.11 SAFETY	✓		
3.44.12 FINISH COATING	✓		
3.44.13 WARRANTY	✓		
3.45 TV MAINTENANCE TOOL KIT	✓		
3.46 OPERATING MANUALS	✓		
3.47 SYSTEMS PARTS BOOK	✓		
3.48 ON-SITE TRAINING	✓		

SECTION 4
BID SUBMITTAL FOR:

Sewer Inspection and Grout Repair Vehicles for Miami-Dade Water and Sewer Department

ACKNOWLEDGEMENT OF ADDENDA

INSTRUCTIONS: COMPLETE PART I OR PART II, WHICHEVER APPLIES

PART I:

LIST BELOW ARE THE DATES OF ISSUE FOR EACH ADDENDUM RECEIVED IN CONNECTION WITH THIS BID

- Addendum #1, Dated February 10, 2010
- Addendum #2, Dated _____
- Addendum #3, Dated _____
- Addendum #4, Dated _____
- Addendum #5, Dated _____
- Addendum #6, Dated _____
- Addendum #7, Dated _____
- Addendum #8, Dated _____

PART II:

NO ADDENDUM WAS RECEIVED IN CONNECTION WITH THIS BID

FIRM NAME: Aries Industries, Inc.

AUTHORIZED SIGNATURE:  DATE: 02/15/2010

TITLE OF OFFICER: James P. Lenahan
President/CEO



BID SUBMITTAL FORM

Bid Title: Sewer Inspection and Grout Repair Vehicles for Miami-Dade Water and Sewer Department

By signing this Bid Submittal Form the Bidder certifies that it satisfies all legal requirements (as an entity) to do business with the County, including all Conflict of Interest and Code of Ethics provisions in Section 2-11 of the Miami-Dade County Code. Any County employee or member of his or her immediate family seeking to contract with the County shall seek a conflict of interest opinion from the Miami-Dade County Ethics Commission prior to submittal of a Bid response or application of any type to contract with the County by the employee or his or her immediate family and file a copy of that request for opinion and any opinion or waiver from the Board of County Commissioners with the Clerk of the Board. The affected employee shall file with the Clerk of the Board a statement in a form satisfactory to the Clerk disclosing the employee's interest or the interest of his or her immediate family in the proposed contract and the nature of the intended contract at the same time as or before submitting a Bid, response, or application of any type to contract with the County. Also a copy of the request for a conflict of interest opinion from the Ethics Commission and any corresponding opinion, or any waiver issued by the Board of County Commissioners, must be submitted with the response to the solicitation.

In accordance with Sec. 2-11.1(s) of the County Code as amended, prior to conducting any lobbying regarding this solicitation, the Bidder must file the appropriate form with the Clerk of the Board stating that a particular lobbyist is authorized to represent the Bidder. Failure to file the appropriate form in relation to each solicitation may be considered as evidence that the Bidder is not a responsible contractor. The Bidder confirms that this Bid is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a Bid for the same goods and/or services and in all respects is without collusion, and that the Bidder will accept any resultant award. Further, the undersigned acknowledges that award of a contract is contingent upon vendor registration. Failure to register as a vendor within the specified time may result in your firm not being considered for award.

Pursuant to Miami-Dade County Ordinance 94-34, any individual, corporation, partnership, joint venture or other legal entity having an officer, director, or executive who has been convicted of a felony during the past ten (10) years shall disclose this information prior to entering into a contract with or receiving funding from the County.

Place a check mark here only if bidder has such conviction to disclose to comply with this requirement.

LOCAL PREFERENCE CERTIFICATION: For the purpose of this certification, a "local business" is a business located within the limits of Miami-Dade County (or Broward County in accordance with the Interlocal Agreement between the two counties) that conforms with the provisions of Section 1.10 of the General Terms and Conditions of this solicitation and contributes to the economic development of the community in a verifiable and measurable way. This may include, but not be limited to, the retention and expansion of employment opportunities and the support and increase to the County's tax base.

Place a check mark here only if affirming bidder meets requirements for Local Preference. Failure to complete this certification at this time (by checking the box above) shall render the vendor ineligible for Local Preference.

LOCAL CERTIFIED SERVICE-DISABLED VETERAN BUSINESS ENTERPRISE CERTIFICATION: A Local Certified Service-Disabled Veteran Business Enterprise is a firm that is (a) a local business pursuant to Section 2-8.5 of the Code of Miami-Dade County and (b) prior to bid submission is certified by the State of Florida Department of Management Services as a service-disabled veteran business enterprise pursuant to Section 295.187 of the Florida Statutes.

Place a check mark here only if affirming bidder is a Local Certified Service-Disabled Veteran Business Enterprise. A copy of the certification must be submitted with this proposal.

COUNTY USER ACCESS PROGRAM (UAP): Joint purchase and entity revenue sharing program. For the County's information, the bidder is requested to indicate, at 'A' and 'B' below, its general interest in participating in the Joint Purchase Program of the County User Access Program (UAP) described in Section 2.21 of this contract solicitation, if that section is present in this solicitation document. Vendor participation in the Joint Purchase portion of the UAP is voluntary, and the bidder's expression of general interest at 'A' and 'B' below is for the County's information only and shall not be binding on the bidder.

A. If awarded this County contract, would you be interest in participating in the Joint Purchase portion of the UAP with respect to other governmental, quasi-governmental or not-for-profit entities located within the geographical boundaries of Miami-Dade County?
Yes _____ No X

B. If awarded this County contract, would you be interested in participating in the Joint Purchase portion of the UAP with respect to other governmental, quasi-governmental or not-for-profit entities located outside the geographical boundaries of Miami-Dade County?
Yes _____ No X

Firm Name: Aries Industries, Inc.
Street Address: 550 Elizabeth Street, Waukesha, WI 53186

Mailing Address (if different): (Same)

Telephone No. 800-234-7205 / 262-896-7205

Email Address: mike.burczyk@ariesindustries.com Fax No. 262-896-7099

Prompt Payment Terms: 0 % days net 45 days (Please see paragraph 1.2 H of General Terms and Conditions)

Signature: James P. Lenahan (Signature of authorized agent)
FEIN No. 319.152110611

Print Name: James P. Lenahan Title: President/CEO

THE EXECUTION OF THIS FORM CONSTITUTES THE UNEQUIVOCAL OFFER OF PROPOSER TO BE BOUND BY THE TERMS OF ITS PROPOSAL. FAILURE TO SIGN THIS SOLICITATION WHERE INDICATED ABOVE BY AN AUTHORIZED REPRESENTATIVE SHALL RENDER THE PROPOSAL NON-RESPONSIVE. THE COUNTY MAY, HOWEVER, IN ITS SOLE DISCRETION, ACCEPT ANY PROPOSAL THAT INCLUDES AN EXECUTED DOCUMENT WHICH UNEQUIVOCALLY BINDS THE PROPOSER TO THE TERMS OF ITS OFFER.

Handwritten initials