Memorandum

MIAMI-DADE COUNTY

Date: February 1, 2011

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

To: Honorable Chairman Joe A. Martinez
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.

Item 2.1: IED Software Maintenance and Support Agreement is for waiver of formal bid procedures and approval to award a sole source contract for the Miami-Dade Aviation Department to acquire required maintenance and support services for the existing Announce Control System used at Miami International Airport. The amount being requested is **$406,000**. If the County chooses to exercise the two, two-year OTR periods, the cumulative value will be $835,264.

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: Codification Services is to modify this contract for additional time and spending authority to allow the Clerk of Courts to continue to purchase codification services for County Ordinances, and associated amendments to the County Code. The additional amount requested is **$35,000**.

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)(H)

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)(H)
2-1-11

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; and

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 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:

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	

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.

Oren Rosenthal

SECTION 2
SOLE SOURCES

Item 2.1

Contract No.: SS9441-5/21

Contract Title: **IED Software Maintenance and Support Agreement**

Description: Requesting waiver of formal bid procedures and approval to award a Sole Source contract for the Miami-Dade Aviation Department (MDAD) to acquire required maintenance and support services for the existing Announce Control System (ACS) used at Miami International Airport (MIA). The ACS provides MDAD the capability to conduct mass notifications in real-time throughout MIA in the case of emergency situations.

Contract Term: Five years with five, one-year options-to-renew

Previous Contract Allocation: Not Applicable

Contract Amount: $406,000*

*If the County chooses to exercise the five, one-year options-to-renew, the total contract value will be $835,264

Using/Managing Department and Funding Source:

Department	Allocation	Funding Source	Contract Manager
Aviation	$406,000	Proprietary Funds	William Texidor
Total:	**$406,000**		

Vendor:	Address	Principal
IED Support Services LLC. (Non-local Vendor)	9701 Taylorsville Road Louisville, KY 40299	Leslie Hess

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

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

Contract Measure: No measure – Sole Source

Review Committee Date: August 4, 2010; Item #2-03

Local Preference:	The Local Preference Ordinance is not applicable.
Living Wage:	The services being provided are not covered under the Living Wage Ordinance.
User Access Program:	This contract does not include the 2% User Access Program provision as the services are exempt.
DPM Contract Manager:	Leida Altman Carrillo

JUSTIFICATION

Miami-Dade County is mandated by the National Fire Alarm and Signaling Code 72 to have an emergency communications system installed within Miami International Airport (MIA). This contract will provide the Miami-Dade Aviation Department (MDAD) with required maintenance and support services for the Announce Control System (ACS) used at MIA. ACS was implemented in 2004 and is an integral part of MIA's operations for mass notification. It provides MDAD the capability to broadcast announcements throughout MIA in the event of emergency situations. The ACS will announce the threat and instructions on how to respond to the threat.

IED Support Services LLC is the sole provider of software maintenance, annual on-site inspection, and annual training for ACS. Market research confirmed that there are no other vendors capable of providing these services. Due to the proprietary nature of ACS it is recommended that the County establish a sole source contract for purchase the required software maintenance and support services needed to maintain the ACS. Approval of the sole source contract will ensure continuity of services while ensuring compliance with the National Fire Alarm and Signaling Code 72.

SECTION 4
NON-COMPETITIVE CONTRACT MODIFICATIONS

Item 4.1

Contract No.: BW7938-4/10-4

Contract Title: **Codification Services**

Description: To modify this contract for additional time and spending authority to allow the Clerk of Courts (COC) to continue purchase of codification services for County Ordinances, and associated amendments to the County Code.

Type of Change: Additional time and spending authority

Existing Allocation: $105,000 for one year
Increase By: $ 35,000
Modified Allocation: $140,000

Current Expiration: March 31, 2011

Modified Expiration: March 31, 2012

Using/Managing Department and Funding Source:

Department	Existing Allocation	Additional Allocation	Modified Allocation	Funding Source	Contract Manager
Clerk of Courts	$105,000	$35,000	$140,000	General Fund	Dee Harvard
Total:	$105,000	$35,000	$140,000		

Vendors:	**Address**	**Principal**
Municipal Code Corp. (Non-local vendor)	1700 Capital Circle SW Tallahassee, FL 32310	Dale Barstow

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

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.

Contract Managers: Lourdes Farley

REASON FOR CHANGE

Authorization is requested to modify this contract for additional time and spending authority to allow the Clerk of Courts to continue to purchase codification services. The awarded vendor is responsible for online and hardcopy publication of the County's Ordinances and amendments related to the County Code.

Approval of this modification will ensure continuity of services while a long-term successor contract is established. The scope and structure of the successor contract will be refreshed to reflect the current technical environment and expand competitive opportunities.