# Memorandum

MIAMI-DADE COUNTY

**Date:** February 15, 2011

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

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

**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

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**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 contracts listed in this item require approval to exercise OTRs contained in each contract that would, if exercised, bring the cumulative value of the contract over $1 million. Each of the contracts were 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.

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: Central Air Conditioners and Related Ductwork, Pre-qualification of Vendors** seeks authority to exercise the first OTR to purchase, install, and service central air conditioning units. The amount being requested for the first option term is **$1,499,000.**

**Item No. 2: Title Company Services** seeks authority to exercise the second OTR to procure title company services. The amount being requested for the second option term is **$244,000.**

Assistant County Manager

# MEMORANDUM

**(Revised)**

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

**DATE:** February 15, 2011

**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)
2-15-11

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR CERTAIN COMPETITIVE CONTRACTS DESCRIBED IN THE ITEM, SUBJECT TO THE MONETARY LIMITATIONS SET FORTH THEREIN, AWARDED UNDER THE COUNTY MAYOR OR THE COUNTY MAYOR DESIGNEE'S DELEGATED AUTHORITY 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:

Joe A. Martinez, Chairman
Audrey M. Edmonson, Vice Chairwoman

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Natacha Seijas
Sen. Javier D. Souto
Lynda Bell
Carlos A. Gimenez
Barbara J. Jordan
Dennis C. Moss
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 15th 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 the 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

**Item 1**

**Contract No.:** 8933-1/13

**Contract Title:** **Central Air Conditioners and Related Ductwork, Pre-qualification of Vendors**

**Description:** It is recommended that the Board authorize the County Mayor or County Mayor's designee to exercise the first Option-to-Renew (OTR) period to purchase, install, and service central air conditioning units. The contract is in its initial two-year period, which expires on February 28, 2011. The contract has a remaining two-year OTR. Exercising the final OTR will bring the cumulative value of the contract to $3,122,000.

| | | |
|---|---|---|
| **Initial Contract Term and Usage:** | March 2, 2009 to February 28, 2011 | $1,623,000 |
| **First OTR and Estimated Usage:** | March 1, 2011 to February 28, 2013 | $1,499,000 |
| **Cumulative Value:** | | $3,122,000 |

**Using/Managing Departments and Funding Sources:**

| **Departments** | **Allocation** | **Funding Sources** | **Contract Managers** |
|---|---|---|---|
| Community Action Agency | $1,000,000 | Federal Funds / ARRA | Shirley Almeida |
| Miami-Dade Public Housing Agency | $ 499,000 | Federal Funds / Proprietary Funds | Mari Saydal-Hamilton |
| **Total:** | **$1,499,000** | | |

| **Vendors:** | **Address** | **Principal** |
|---|---|---|
| A & M Mechanical Contractors, Inc. (Local vendor) | 7495 NW 7th Street, Bay 1 Miami, FL 33126 | Miguel Rodriguez |
| Advanced Construction Services, Group, Inc. (Local vendor) | 5910 SW 93rd Place Miami, FL 33173 | Norma Gonzalez |
| Advanced Roofing, Inc. (Local vendor) | 1950 NW 22nd Street Ft. Lauderdale, FL 33311 | Robert Kornahrens |
| Airmet AC, Inc. (Local vendor) | 3611 SW 87th Avenue Miami, FL 33165 | Michel Sanabria |
| City Air, Inc. (Local vendor) | 3800 SW 129th Avenue Miami, FL 33175 | Daniel A. Cuesta |

| | | |
|---|---|---|
| Conwell & Associates Consulting Co. (Local vendor) | 11771 SW 137th Place Miami, FL 33186 | Kenneth Conwell |
| Cool Breeze Air Conditioning Corp. (Local vendor) | 13120 SW 130th Terrace Miami, FL 33186 | Frank Crawley |
| Cooling Controls, Inc. (Local vendor) | 11265 SW 47th Terrace Miami, FL 33165 | Yoel Blanco |
| Done Wright A/C & Electric Service, Inc. (Local vendor) | 24 North Homestead Boulevard Miami, FL 33030 | David L. Wright |
| Ductmasters USA, Inc. (Local vendor) | 3644 NW 16th Street Ft. Lauderdale, FL 33311 | Roger Herde |
| Edd Helms Air Conditioning Inc. (Local vendor) | 17850 NE 5th Avenue Miami, FL 33162 | Wade Helms |
| F X P Corp. (Local vendor) | 4900 SW 72nd Avenue Miami, FL 33155 | Francisco X. Perez |
| Florida State Group Developers, Inc. (Local vendor) | 12326 SW 132nd Court Miami, Florida 33186 | Greco Benitez |
| Gestido Construction Group Inc. (Local vendor) | 6625 Miami Lakes Drive Suite 310 Miami Lakes, FL 33014 | Robert Gestido |
| Jeda Construction Group LLC (Local vendor) | 8370 NW 159th Terrace Miami Lakes, FL 33016 | Rafael L. Padron |
| Master Mechanical Services, Inc. (Local vendor) | 15181 NW 33rd Place Miami, FL 33054 | Joann Pinna |
| Pilar Services, Inc. (Local vendor) | 8191 NW 91st Terrace, A-3 Medley, FL 33166 | Walter Ormazabal |

| | | |
|---|---|---|
| South Dade Air Conditioning & Refrigeration, Inc. (Local vendor) | 14510 SW 284th Street Homestead, FL 33033 | Paul J. Morrow |
| Temptrol Air Conditioning, Inc. (Local vendor) | 4215 SW 72nd Avenue Miami, FL 33155 | Raymond Lopez |
| Weathertrol Maintenance Corp. (Local vendor) | 7250 NE 4th Avenue Miami, FL 33138 | Carlos I. Borja |

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

**Compliance Data:** On April 13, 2010, City Air Inc. was removed from the contract for failure to provide the required workers compensation insurance. On September 30, 2010, the vendor complied with the insurance requirement and was added to the contract. There are no compliance issues with the remaining vendors.

**Contract Measure:** No measure due to federal funding source.

**Review Committee Date:** January 7, 2009; Item #5-01

**Local Preference:** The Local Preference is applied in accordance with the Ordinance at the time of spot market competition.

**Living Wage:** The services being provided are covered under the Davis Bacon Act.

**User Access Program:** The User Access Program does not apply due to federal fund source restrictions.

**DPM Contract Manager:** Yuly Chaux

## JUSTIFICATION

This contract is used by the Miami-Dade Public Housing and Miami-Dade Community Action agencies, to provide air conditioning installation and repair services for low income and elderly residents. Pre-qualified vendors provide quotations for services that include removal of existing central air conditioning units prior to new installations, replacement of thermostats, as well as inspection, installation, sealing, and replacement of existing air conditioning ducts.

At the County's discretion, qualified vendors may be added to this pool. Ten vendors have been added to the contract since its inception. Additionally, there are numerous companies in the process of completing their pre-qualification submittals in order to be added to the pool of vendors. It is therefore in the best interest of the County to exercise the first option-to-renew.

**Item 2**

**Contract No.:** EPP-RFP485

**Contract Title:** **Title Company Services**

**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) to procure title company services. The contract is in its first OTR period which expires on February 22, 2011. The contract has two, one-year OTRs remaining. Exercising the second OTR will bring the cumulative value of the contract to $1,463,000.

| | | |
|---|---|---|
| **Initial Contract Term and Usage:** | February 23, 2006 – February 22, 2010 | $ 975,000 |
| **First OTR and Usage:** | February 23, 2010 – February 22, 2011 | $ 244,000 |
| **Second OTR and Estimated Usage:** | February 23, 2011 – February 22, 2012 | $ 244,000 |
| **Cumulative Value:** | | **$1,463,000** |

**Using/Managing Departments and Funding Sources:**

| **Departments** | **Allocation** | **Funding Sources** | **Contract Manager** |
|---|---|---|---|
| Finance | $200,000 | Tax Deed Application Fees | Gerardo Gomez |
| Building and Neighborhood Compliance | $ 44,000 | Proprietary Funds | Stan Krafick |
| **Total:** | **$244,000** | | |

| **Vendor(s):** | **Address** | **Principal** |
|---|---|---|
| JGS Properties, Inc. d/b/a National Title and Abstract Company (Local vendor) | 151 SW 27 Avenue Miami, FL 33135 | John G. Sanchez |

**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 due to funding source of tax deed application fees. The Building and Neighborhood Compliance Department, which uses a different funding source, was added to the contract after the initial award.

**Review Committee Date:** Not applicable

**Local Preference:** The Local Preference was applied in accordance with the Ordinance but did not affect outcome.

**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 where permitted by the funding source.

**DPM Contract Manager:** Annie Perez

**JUSTIFICATION**

The Finance Department's Tax Collector Division uses the services of a title company to provide certified ownership and encumbrance reports for tax deed applications. These reports are required under Section 197.502(4) of the Florida Statutes and Department of Revenue Regulation Rule 12D-13.061. These reports contain lien information on real property for which a tax deed application is filed. The Building Department also uses the services of a title company to provide ownership and encumbrance reports for properties that are deemed unsafe.

Market research shows prices are competitive when compared to other State of Florida counties. The departments continue to require the services offered under this contract. Therefore, it is the best interest of the County to exercise the second option-to-renew.