

Memorandum



Date: October 25, 2011

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

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Waiving Formal Bid Procedures

IMFR
Agenda Item No. 3(D)

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 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.

Item 1.1: Janitorial Services is to waive formal bid procedures and ratify an emergency contract award for purchase of janitorial services from Respect of Florida used by the Miami-Dade Police Department and the General Services Administration to provide janitorial services for several Miami-Dade County buildings. The amount being requested is **\$2,541,000**.

Section 2 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.

Item 2.1: Grizzly Crane is requesting waiver of formal bid procedures and approval to award a contract to Crane Equipment Manufacturing (CEM) Corp for the Department of Solid Waste Management for the replacement of a Grizzly crane at the Northeast Waste Transfer Station facility. The amount being requested is **\$264,000**.



County Manager/Deputy Mayor

**SECTION 1
EMERGENCY PURCHASES**

Item 1.1

Contract No.: E9522-0/11

Contract Title: Janitorial Services

Description: To waive formal bid procedures and ratify an emergency contract award to Respect of Florida for purchase of janitorial services used by the Miami-Dade Police Department and General Services Administration to provide janitorial services for several Miami-Dade County buildings.

Contract Term: June 20, 2011 through October 31, 2011

Contract Value: \$2,541,000

JUSTIFICATION

The Miami-Dade Police Department (MDPD) and General Services Administration (GSA) are seeking ratification of an emergency contract to purchase janitorial services used to clean various County buildings within Miami-Dade County. Janitorial services for GSA and MDPD were being purchased through a non-competitive contract with Respect of Florida. The departments did not have sufficient allocation for services through the contract expiration on August 31, 2011.

Non-competitive contract awards and modifications require the Mayor's authorization. Due to the Mayoral vacancy from March 18, 2011 through July 1, 2011, the Department of Procurement Management has not been able to process non-competitive contract awards and modifications. An emergency contract award was the only viable option to ensure service continuity with Respect of Florida. The GSA Director certified an emergency for these janitorial services to ensure continuity of the required cleaning maintenances service. This emergency allows both departments to use the funds to continue services until a new contract is awarded

Contract negotiations are underway to present a recommendation for award of a new contract by November 2011.

Using/Managing Department and Funding Sources:

Department	Allocation	Funding Sources	Contract Manager
Police	\$241,000	General Fund	Laura k. Romano
General Services Administration	<u>\$2,300,000</u>	Internal Services Fund	Lucy Romano
Total:	\$2,541,000		

Vendors:	Address	Principal
Florida Association of Rehab, FAC, Inc. d/b/a/ RESPECT of Florida	2475 Apalachee Parkway Suite #205	Suzanne Sewell

3

(Non-local vendor) Tallahassee, FL 32301

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 – Emergency Purchase

Review Committee Date: June 23, 2011

Local Preference: The Local Preference was not applied as this is an emergency purchase.

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.

Procurement Contracting Officer: Albert Falcon

4

**SECTION 2
BID WAIVER**

Item 2.1

Contract No.: BW9503-SW

Contract Title: **Grizzly Crane**

Description: Requesting waiver of formal bid procedures and approval to award a contract for the Department of Solid Waste Management for the replacement of a Grizzly crane at the Northeast Waste Transfer Station facility.

Contract Term: Upon delivery and installation

Previous Contract Allocation: Not applicable

Contract Amount: \$264,000

JUSTIFICATION

This contract will allow the Department of Solid Waste Management (SWM) to replace an existing Grizzly crane at the Northeast Transfer Station (NETS). The existing crane has exceeded its useful life, and must be replaced. This recommendation is to purchase a Grizzly crane as it will seamlessly fit into the space where the existing Grizzly crane is located, including the wall cuts and holes, as well as on the slab base. If another type of crane is procured, a structural analysis will have to be done to determine if the base can safely and securely accommodate the other crane. Additionally, if another brand of crane is purchased, SWM will have to retrain its crane operators on the operation, maintenance, and repair of the new crane. SWM has a total of six Grizzly cranes, as well as an inventory of spare parts for the cranes. Purchasing a different brand of crane will require SWM to invest in parts specific to that brand.

Crane Equipment Manufacturing (CEM) Corp is the manufacturer of Grizzly cranes. Market research was conducted to determine whether the Grizzly crane could be provided by crane dealers or distributors. CEM sells its cranes directly to the customer and does not have a dealer network.

Using/Managing Department and Funding Source:

Department	Allocation	Funding Source	Contract Manager
Solid Waste Mgmt	<u>\$264,000</u>	Proprietary Funds	Olga Espinosa-Anderson
Total:	\$264,000		

5

Vendor:
Crane Equipment
Manufacturing Corp.
(Non-local vendor)

Address
33740 Seavey Loop
Eugene, OR 97405

Principal
Mike Kogutkiewicz
President

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 – Bid Waiver

Review Committee Date: Not applicable

Local Preference: The Local Preference Ordinance is not applicable.

Living Wage: The equipment being purchased is not covered under the Living Wage Ordinance.

User Access Program: The User Access Program provision applies. The 2% program discount will be collected.

Procurement Contracting Officer: Km! Ra

6



MEMORANDUM

(Revised)

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

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

SUBJECT: Agenda Item No.

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

7

Approved _____ Mayor

Agenda Item No.

Veto _____

Override _____

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,

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.

8

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
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of November, 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.

HBS/

Hugo Benitez