Memorandum

MIAMI-DADE COUNTY

Date: November 15, 2011

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

Agenda Item No. 8(F)(7)

From: Carlos A. Gimenez
Mayor

Subject: Resolution Waiving Formal Bid Procedures for a Non-Competitive Contract Modification

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Recommendation

It is recommended that the Board of County Commissioners waive competitive bidding procedures for the attached contract modification 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 amount 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 budget 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 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

NON-COMPETITIVE CONTRACT MODIFICATION

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 1: **Relia-Vote Equipment, Software, and Associated Services** is to modify this contract for additional spending authority to allow the Miami-Dade Elections Department to purchase

software license upgrades as well as maintenance and support services for the existing Relia-Vote Mail Balloting System. Authorization is also requested to exercise the three options-to-renew (OTR). The additional amount requested is $400,000, and the amount for the remaining OTRs is $387,000. The total amount being requested is **$787,000**.

Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: November 15, 2011

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

SUBJECT: Agenda Item No. 8(F)(7)

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(F)(7)
11-15-11

RESOLUTION NO. _____

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES FOR THE PURCHASE OF GOODS AND SERVICES FOR THE MIAMI-DADE ELECTIONS DEPARTMENT, 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 for the Miami-Dade Elections Department 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 for the Miami-Dade Elections Department, 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
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.

Hugo Benitez

Item 1

Contract No.: SS8541-0/13

Contract Title: **Relia-Vote Equipment, Software, and Associated Services**

Description: To modify this contract for additional spending authority to allow the Miami-Dade Elections Department to purchase software license upgrades as well as maintenance and support services for the existing Relia-Vote Mail Balloting System (System). Authorization is also requested to exercise the three options-to-renew. This System is used for printing, sorting, assembling, mailing, and tracking ballots for "vote by mail" processes for all countywide and municipal elections.

Type of Change: Additional spending authority, and to authorize negotiated options-to-renew

Existing Allocation: $ 693,000
Increase By: $ 400,000
Modification Allocation: $1,093,000

Current Expiration: December 31, 2013

Modified Expiration: Unchanged

REASON FOR CHANGE

This is a request for authorization to consolidate two previously awarded contracts to support the Miami-Dade Elections Department. Both contracts were awarded to Pitney Bowes, Inc for the Reliavote System used for processing absentee ballots. In 2006, the Board approved a lease-to-own contract for sorting and ballot assembly components. In 2007, the Board approved a lease-to-own contract for data management, tracking and printing components. This modification will consolidate these two contracts and add three, one-year options-to-renew (OTRs). Maintenance and support services will be combined into a single annual payment for all system components to provide ease of contract administration, and to avoid interruption in services. Staff negotiated with Pitney Bowes to reduce the proposed cost of the option terms by $49,583. The modification will also allow for purchase of software license upgrades to maintain compatibility with new United States Postal Service barcode technology, as well as to gain access to enhanced tracking and reporting capabilities.

The System includes specialized equipment and integrated software necessary for an accurate and efficient "vote by mail" process. The System processes absentee ballots, prints required information onto envelopes, and automatically assembles outgoing ballots. It sorts, tracks and audits outgoing and incoming ballot packages, as well as automates and calculates payments to the United States Postal Service (USPS) for all mailed ballots.

The continuous functionality of this System is an operational necessity for the Elections Department to provide absentee ballot voting to registered voters, and will be essential during the 2012 presidential election cycle. Pitney Bowes, Inc is the sole proprietor and developer of the system. Maintenance and support services, including onsite technical support, are required to protect against interruptions in operations. This modification will ensure that appropriate funding is available under this contract to provide continuity of services for all components of this essential system for Elections.

Using/Managing Departments and Funding Sources:

Department	Existing Allocation	Additional Allocation	Modified Allocation	Funding Source	Contract Manager
Elections	$693,000	$400,000	$1,093,000	General Fund	John Mendez
Total:	**$693,000**	**$400,000**	**$1,093,000**		

Initial Contract Term and Usage:	January 1, 2008 to December 31, 2013	$1,093,000*
First OTR and Estimated Usage:	January 1, 2014 to December 31, 2014	$ 135,000**
Second OTR and Estimated Usage:	January 1, 2015 to December 31, 2015	$ 112,000
Third OTR and Estimated Usage:	January 1, 2016 to December 31, 2016	$ 140,000**
Cumulative Value:		$1,480,000

*Includes modification of $400,000 related to software upgrades and ongoing maintenance and support services.

**Renewal term falls on an election year. Allocation for election years is higher due to on-site technical support to ensure smooth election process.

Total Amount Being Requested for Modification and Three Negotiated OTRs: $787,000

Vendor:	Address	Principal
Pitney Bowes, Inc. (Non-local Vendor)	1 Elmcroft Road Stamford, CT 06926	Johnna G. Torsone

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 – Sole source

Review Committee Date: October 31, 2007; Item #2-02

Local Preference: Applied in accordance with the Local Preference Ordinance and did not affect outcome.

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.

Procurement Contracting Officer: Beth Goldsmith