Memorandum

MIAMI-DADE COUNTY

Date: November 15, 2011

Agenda Item No. 8(F)(19)

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

From: Carlos A. Gimenez
Mayor

Subject: Resolution Requesting Authority to Exercise Option-to-Renew Periods Under Existing Non-Competitive Contracts

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Recommendation
It is recommended that the Board of County Commissioners (Board) 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.

Scope
The impact of the items in the accompanying OTR package is countywide in nature.

Fiscal Impact/Funding Source
The allocation and funding source by department/agency is listed in the attached OTR package.

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. Funding will be expended only if departmental budgets can support the expenditures as approved in their annual budget adopted by the Board.

Track Record/Monitor
There are no known performance issues with the vendors recommended for award. The departments' contract manager is reflected in the attached OTR package.

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 contracts listed in the accompanying package.

Background
The non-competitive contracts listed in this item require approval to exercise OTRs contained in each contract. Each of the contracts were awarded under the County Mayor or County Mayor's designee's delegated authority ($100,000 for non-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 OTR periods, market research is conducted to ensure continuing to purchase from the awarded vendors 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: Galileo Software License Maintenance & Support Services seeks authority to exercise the four remaining OTR terms to provide Miami-Dade Community Action and Human Services with the ability to purchase software maintenance and support services for the Galileo Online System. The amount being requested for the four remaining option terms is **$276,000**.

Item No. 2: E-Net Software Maintenance and Support Services seeks authority to exercise the four remaining OTR terms to procure maintenance and support services for the existing E-Net software utilized by the Information Technology Department. The amount being requested for the four remaining option terms is **$140,000**.

Item No. 3: Breathing Air System Compressors Maintenance, Spare Parts and Repair seeks authority to exercise the remaining OTR term for the purchase of air compressor systems parts, maintenance and repairs for Miami-Dade Fire Rescue. The amount being requested for the remaining option term is **$33,000**.

Item No. 4: Ambulance Stretcher Parts, Maintenance and Repairs seeks authority to exercise the two remaining OTR terms for the purchase of ambulance stretcher parts, maintenance and repairs for the Miami-Dade Fire Rescue. The amount being requested for the two remaining option term is **$180,000**.

Deputy Mayor

Item 1

Contract No.: SS9166-4/15

Contract Title: **Galileo Software License Maintenance & Support Services**

Description: It is recommended that the Board authorize the County Mayor or the County Mayor's designee to exercise all four Option-to-Renew (OTR) terms to provide the Miami-Dade Community Action and Human Services Department (CAHS) the ability to purchase software maintenance and support services for the existing Galileo Online System provided by Assessment Technology Inc. CAHS utilizes the software to conduct progress assessments of Head Start students. Exercising all four OTR terms will bring the cumulative value of the contract to $345,000.

Initial Contract Term and Usage:	November 23, 2010 through November 22, 2011	$ 69,000
First OTR and Estimated Usage*:	November 23, 2011 through November 22, 2012	$ 69,000
Second OTR and Estimated Usage*:	November 23, 2012 through November 22, 2013	$ 69,000
Third OTR and Estimated Usage*:	November 23, 2013 through November 22, 2014	$ 69,000
Fourth OTR and Estimated Usage*:	November 23, 2014 through November 22, 2015	$ 69,000
Cumulative Value:		**$345,000**

* This represents the four OTRs requested for approval under this item.

JUSTIFICATION

This contract provides Miami-Dade Community Action and Human Services (CAHS) with the required software maintenance and technical support services for the existing Galileo Online System (Galileo) provided by Assessment Technology Inc. (ATI). CAHS utilizes the Galileo software for Miami-Dade County's Head Start students' annual assessments.

Federal Head Start agencies must perform at least three assessments a year. The Florida Head Start

Association Research Committee (Committee) selected Galileo to collect information to chart Florida's Head Start students' progress. Collected data is used to improve program practices, child education outcomes and classroom practices. The use of Galileo also allows CAHS to meet and comply with Federal program and Committee requirements, as well as receive federal funds for the continued purchase of the require software maintenance and support services.

ATI is the owner and sole proprietor of software maintenance and support services for Galileo. Market research has confirmed that there are no other companies available to provide the required software maintenance and technical support services due to the proprietary nature of Galileo. It is therefore in the best interest of the County to exercise the remaining options-to-renew terms for continuity of services.

Using/Managing Department and Funding Source:

Department	Total Allocation for Four Remaining OTR Terms	Funding Source	Contract Manager
Community Action and Human Services	$ 276,000	Federal Funds	Shirley Almeida
Total:	**$ 276,000**		

Vendor:	Address	Principal
Assessment Technology, Inc (Non-local Vendor)	6700 E Speedway Blvd Tucson, AZ 85710	John R. Bergan

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:	August 4, 2010; Item 5-01
Local Preference:	The Local Preference Ordinance does not apply.
Living Wage:	The services being provided are not covered by the Living Wage Ordinance.
User Access Program:	The User Access Program provision is not included due to the use of federal funding.
Procurement Contracting Officer:	Margaret Brown

Item 2

Contract No.:	SS7204-6/15-2	
Contract Title:	**E-Net Software Maintenance and Support Services**	
Description:	It is recommended that the Board authorize the County Mayor or County Mayor's designee to exercise the four remaining Option-to-Renew (OTR) terms to procure maintenance and support services for the existing E-Net software for the Information Technology Department (ITD). Exercising the four remaining OTRs will bring the cumulative value of the contract to $256,000.	
Initial Contract Term and Usage:	January 1, 2008 to December 31, 2009	$ 55,000
First OTR and Usage:	January 1, 2010 to November 30, 2010	$ 30,000
Second OTR and Usage:**	December 1, 2010 to November 30, 2011	$ 31,000
Third OTR and Estimated Usage*:**	December 1, 2011 to November 30, 2012	$ 33,000*
Fourth OTR and Estimated Usage*:**	December 1, 2012 to November 30, 2013	$ 34,000*
Fifth OTR and Estimated Usage*:**	December 1, 2013 to November 30, 2014	$ 36,000*
Sixth OTR and Estimated Usage*:**	December 1, 2014 to November 30, 2015	$ 37,000*
Cumulative Value:		**$256,000**

* The maintenance and support rate for this contract was negotiated at the time of the software purchase. It is an industry practice to negotiate a fixed price with a not-to-exceed cap for subsequent renewals. Prior to each renewal period, staff negotiates for price reductions.

** Contract term was adjusted to December 1st through November 30th to allow issuance of purchase order and vendor payment prior to January 1.

*** This represents the four OTRs requested for approval under this item.

JUSTIFICATION

This contract is used by the Information Technology Department (ITD) to procure maintenance and support services to the existing E-Net software provided by E-Net Corporation. This software is used for remote recovery and duplication of mainframe databases. The software reliably duplicates the Criminal Justice System and the Traffic System databases, and

automatically maintains a duplicate copy for disaster processing and AD Hoc reporting. Due to the mission critical nature of these applications, support is required 24-hours per day, 7-days per week.

E-Net Corporation is the sole proprietor of the software application and the only vendor that can provide the required maintenance and support services. It is therefore in the best interest of the County to exercise the remaining option-to-renew periods for continuity of services.

Using Managing Department and Funding Source:

Department	Total Allocation for Four Remaining OTRs	Funding Source	Contract Manager
InformationTechnology	$140,000	Internal Service Fund	Mirta Cardoso-Lopez
Total:	**$140,000**		

Vendors:	Address	Principal
E-Net Corporation. (Non-local Vendor)	300 Valley Street Sausalito, CA 94965	James De Remer

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	September 12, 2007; Item #2-01
Local Preference:	The Local Preference Ordinance does not apply.
Living Wage:	The Living Wage does not apply
Procurement Contracting Officer:	Dakota Thompson

Item 3

Contract No.:	SS9153-2/12-1	
Contract Title:	**Breathing Air System Compressors Maintenance, Spare Parts and Repair**	
Description:	It is recommended that the Board authorize the County Mayor or County Mayor's designee to exercise the remaining Option-to-Renew (OTR) term for the purchase of air compressor systems parts, maintenance and repairs for Miami-Dade Fire Rescue. The contract is in the first OTR term which expires on November 30, 2011. Exercising the remaining OTR will bring the cumulative value of the contract to $133,000.	
Initial Contract Term and Usage:	December 1, 2009 to November 30, 2010	$ 50,000
First OTR and Usage:	December 1, 2010 to November 30, 2011	$ 50,000
Second OTR and Estimated Usage*:	December 1, 2011 to November 30, 2012	$ 33,000
Cumulative Value:		**$133,000**

* This represents the OTR requested for approval under this item.

JUSTIFICATION

This contract provides parts and factory-authorized maintenance and repair services for Mako Breathing System air compressors used by Miami-Dade Fire Rescue (MDFR). The contract covers manufacturer recommended quarterly maintenance at various MDFR locations, repair and emergency services, as well as parts for approximately 1,300 units utilized by MDFR. The systems are used by MDFR to prevent smoke inhalation when combating fires, and prevent inhalation of toxins when responding to hazardous material releases.

MDFR is required by the National Fire Protection Agency, Occupational Safety and Health Administration, U.S. Department of Mine Safety and Health Administration, Compressed Gas Association, and the State of Florida Department of Transportation to maintain all air compressors in compliance with State and Federal regulations and guidelines.

Quiescence Diving Services, Inc. is the exclusive authorized dealer and service provider for Mako Breathing System air compressors for Miami-Dade, Broward, and Monroe counties. . The contract pricing is fixed and firm for the entire term, including renewals. It is therefore in the best interest of the County to exercise the remaining option-to-renew for continuity of services.

Using/Managing Department and Funding Source:

Department	Total Allocation for Remaining OTR Term	Funding Source	Contract Manager
Fire Rescue	$ 33,000	Fire District	Marianela Betancourt
Total:	**$ 33,000**		

Vendor:	Address	Principal
Quiescence Diving Services, Inc. (Non-local vendor)	103680 Overseas Hwy. Key Largo, FL 33037	Robert D. Bleser

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

Local Preference: The Local Preference Ordinance does not apply.

Living Wage: The Living Wage does not apply.

Procurement Contracting Officer: Robin Webb

Item 4

Contract No.:	SS9038-3/13-1	
Contract Title:	**Ambulance Stretchers Parts, Maintenance and Repairs**	
Description:	It is recommended that the Board authorize the County Mayor or County Mayor's designee to exercise the two remaining Option-to-Renew (OTR) terms for the purchase of ambulance stretcher parts, maintenance and repairs for Miami-Dade Fire Rescue. The contract is in the first OTR term which expires on December 31, 2011. Exercising the two remaining OTRs will bring the cumulative value of the contract to $360,000.	
Initial Contract Term and Usage:	July 1, 2009 to June 30, 2010	$ 90,000
First OTR and Usage:	July 1, 2010 to December 31, 2011	$ 90,000
Second OTR and Estimated Usage*:	January 1, 2012 to December 31, 2012	$ 90,000
Third OTR and Estimated Usage*:	January 1, 2013 to December 31, 2013	$ 90,000
Cumulative Value:		**$360,000**

** This represents the two OTRS requested for approval under this item.

JUSTIFICATION

This contract is used by Miami-Dade Fire Rescue (MDFR) to purchase parts, maintenance and repair services for the existing Ferno stretchers and Stryker stair chairs. These stretchers and chairs are vital to patient care during rescue emergencies, and are carried on all rescue transport vehicles. Ferno and Stryker recommend quarterly and semi-annual maintenance, respectively, to maintain optimum operational functionality of the equipment.

This contract was established in 2009 through a non-competitive process. MEDCO Equipment Repair, Inc. is the sole authorized provider for parts and repair services for Ferno stretchers, and certified service provider for all Stryker equipment in South Florida. It is therefore in the best interest of the County to exercise the remaining option-to-renew terms.

Using/ Managing Department and Funding Source:

Department	Total Allocation for Two Remaining OTR Terms	Funding Source	Contract Manager
Fire Rescue	$180,000	Fire District	Marianela Betancourt
Total:	**$180,000**		

Vendor:	Address	Principal
MEDCO Equipment Repair, Inc. (Local Vendor)	13047 SW 133 Court Miami, FL 33186	Steven F. Sikes

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

Local Preference: The Local Preference Ordinance does not apply.

Living Wage: The Living Wage does not apply.

Procurement Contracting Officer: Robin Webb

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)(19)

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**

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Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(F)(19)
11-15-11

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR CERTAIN NON-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 their 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	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. HB

Hugo Benitez