Memorandum

MIAMI-DADE COUNTY

Date: December 19, 2011

Agenda Item No. 8(F)(9)

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 Period Under Existing Non-Competitive Contract

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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, their discretion, the Options-to-Renew (OTR) set forth in this item. Ordinance #07-139 provides for committee review exemption.

Scope
The impact of the item 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 vendor recommended for award. The departments' contract manager is reflected in the attached OTR item.

Delegated Authority
If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise the OTR in accordance with the terms and conditions of the contracts listed in the accompanying package.

Background
The non-competitive contract listed in this item requires approval to exercise the OTRs contained in the contract. 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: IBM Hardware, Software, Support, and Professional Services seeks authority to exercise the second OTR term for IBM hardware, software, maintenance, support, and professional services. The amount being requested for the second option term is **$7,961,000**. Additionally, this OTR is approximately $480,000 less than the current OTR due to decreased utilization, resulting in the purchase of fewer software licenses.

Deputy Mayor

Item No. 1

Contract No.: BW9130-5/19-2

Contract Title: **IBM Hardware, Software, Support, and Professional Services**

Description: It is recommended that the Board authorize the County Mayor or County Mayor's designee to exercise the second Option-to-Renew (OTR) period available to provide the Information Technology Department (ITD), Clerk of Courts (COC), Internal Services Department (ISD), Community Information and Outreach (CIAO), Police (MDPD), and Aviation (MDAD) departments with the ability to pay for the required acquisition of IBM hardware, software, maintenance, support, and professional services. The contract is in its first OTR, which expires December 31, 2011.

Initial Contract Term and Usage:	January 1, 2010 to December 31, 2010	$8,395,000
First OTR and Usage:	January 1, 2011 to December 31, 2011	$8,441,000
Second OTR and Estimated Usage:	January 1, 2012 to December 31, 2012	$7,961,000
Cumulative Value:		**$24,797,000**

Allocation, Managing Agency and Funding Source:

Department	Allocation	Funding Source	Contract Manger
Aviation	$1,000,000	Proprietary Revenue	Carlos Garcia
Clerk of Courts	500,000	Clerk Revenue	Charis Lubeck
Information Technology Department	5,850,000	Internal Service Funds	Mirta Cardoso
Internal Services Department	81,000	Internal Service Funds	Clayton Baptiste
Community Information & Outreach	40,000	General Fund	Regla Lee
Police	490,000	Grant Funds / General Fund	Laura Romano
Total:	**$7,961,000**		

Vendor:	Address	Principal
Internal Business Machines Corp (Non-local vendor)	New Orchard Road Armonk, NY 10504	Samuel J. Palmisano

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
Review Committee Date:	August 5, 2009; Item #2-06
Local Preference:	Not Applicable
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 purchases where permitted by funding source.
Contract Manager:	Beth Goldsmith

JUSTIFICATION

This contract provides the ITD, COC, ISD, CIAO, Police, and Aviation departments with the ability purchase for required hardware, software, maintenance, support, and professional services provided by International Business Machines Corp (IBM).

The County has relied on IBM software licenses and computer hardware infrastructure for over 35 years to deliver many mission critical enterprise and departmental functions. During this period, many software applications have been developed based on IBM technology. These software applications and systems help bring services to the public, whether directly or indirectly, and also support the internal processes that make service delivery possible. Critical County applications such as the Criminal Justice Information System, Financial Accounting Management Information System, and Advanced Purchasing and Inventory Control System were developed specifically for this platform and continue to be maintained through this contract.

This contract provides IBM's most favored customer pricing equal to that offered to the federal General Services Administration, including any incentives or promotional discounts that may be available, and fixed pricing for maintenance renewals through January 2015. It is therefore in the best interest of the County to exercise the second option-to-renew in order to provide continuity of services for mission critical systems.

MEMORANDUM

(Revised)

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

DATE: December 19, 2011

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

SUBJECT: Agenda Item No. 8(F)(9)

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)(9)
12-19-11

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIOD FOR CERTAIN NON-COMPETITIVE CONTRACT 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 option-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 that renewal.

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 19th day of December 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