Memorandum

MIAMI-DADE COUNTY

Date: May 1, 2012

Agenda Item No. 8(F)(2)

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 an Existing Competitively Bid Contract that Would Bring the Cumulative Contract Value to More than $1 Million

---

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 their discretion, the Option-to-Renew (OTR) set forth in this item. Ordinance No. 07-139 provides for committee review exemption.

The accompanying OTR package in this item is specific to Title Company Services for the Finance and Permitting, Environment and Regulatory Affairs (PERA) Departments in the amount of $244,000 and seeks to exercise the remaining one-year OTR, which will extend this contract from August 23, 2012 through August 22, 2013.

Scope

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

Fiscal Impact/Funding Source

The funding source for the Finance Department is Tax Deed Application Fees ($200,000) and proprietary revenues for PERA ($44,000).

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 these departments. Funding will be expended only if their respective departmental budgets can support the expenditures 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 managers are 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 the OTR in accordance with the terms and conditions of the contract listed in the attached OTR package.

Background

This competitively bid contract was previously awarded under the delegated authority of the County Mayor or County Mayor's designee ($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. Given that the cumulative value of the original contract amount and prior OTRs, as well as the OTR that is the subject of this item, exceed the aforementioned $1 million threshold, Board approval is required to exercise this OTR.

The contract in this package was awarded prior to the effective date of Ordinance 09-52, which requires obtaining Board authorization to award contracts where the renewal options would bring the cumulative value of the contract above $1 million.

Prior to exercising any OTR periods, market research is conducted to ensure that 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 OTR for this contract is described in full detail in attached "Item 1". It will only be executed if determined to be in the best interest of the County.

Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: May 1, 2012

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

SUBJECT: Agenda Item No. 8(F)(2)

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)(2)
5-1-12

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR THE 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 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 the 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 1st day of May, 2012. 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.: EPP-RFP485-2(3)

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 remaining Option-to-Renew (OTR) to procure title company services. The contract has one, one-year OTR remaining. Exercising the remaining OTR will bring the cumulative value of the contract to $1,829,000.

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 Usage:	February 23, 2011 – August 22, 2012	$ 366,000
OTR Requested for Approval Under This Item		
Third OTR and Estimated Usage:	August 23, 2012 – August 22, 2013	$ 244,000
Cumulative Value:		**$1,829,000**

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 of the Florida Statutes and Department of Revenue Regulation Rule 12D-13.061. The reports contain lien information on real property for which a tax deed application is filed. The Department of Permitting, Environment and Regulatory Affairs uses the services of a title company to provide ownership and encumbrance reports for properties deemed to be unsafe.

The participating departments continue to require the services of the title company under contract. The prices are competitive as compared to other State of Florida counties. The vendor is performing in a satisfactory manner. Additionally, the Finance Department expects the sale of tax deeds to increase in the near future. Therefore, it is the best interest of the County to exercise the third option-to-renew.

Using/Managing Departments and Funding Sources:

Departments	Total Allocation for Remaining OTR	Funding Source(s)	Contract Manager(s)
Finance	$200,000	Tax Deed Application Fees	Gerardo Gomez
Permitting, Environment and Regulatory Affairs	$ 44,000	Proprietary Funds	Terry R. Smith
Total:	**$244,000**		

Vendor(s):	Address	Principal
JGS Properties, Inc. dba National Title and Abstract Company	810 SW 12 Avenue Miami, FL	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 measures due to funding source of tax deed application fees. The Department of Permitting, Environment and Regulatory Affairs was added to the contract after award.

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 will be collected on all purchases.

Procurement Contracting Officer: Annie Perez