MEMORANDUM

Agenda Item No. 8(F)(2)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	March 5, 2013
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution authorizing modification of a competitive contract totaling $916,000 for purchase of goods and services, and authorizing the use of Charter County Transportation Surtax Funds

The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum

MIAMI-DADE COUNTY

Date: March 5, 2013

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Alina T. Hudak
Deputy Mayor

Subject: Resolution Authorizing Competitive Contract Modification and Use of Charter County Transportation Surtax Funds

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Recommendation
It is recommended that the Board of County Commissioners (Board) approve the attached competitive contract modification. The item is described below and in more detail in the accompanying attachment:

Item 1 – Metrorail Control Center Upgrade: Modifies this contract for an additional $916,000 in spending authority to include three modifications to the Metrorail Control Center modernization project.

This contract modification package is placed for Committee review pursuant to Miami-Dade County Code Section 29-124(f). This recommendation may only be considered by the Board if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board prior to the date scheduled for Board consideration or 45 days have elapsed since the filing with the Clerk of the Board of this contract award recommendation. If the CITT has not forwarded a recommendation and 45 days have not elapsed since the filing of this award recommendation, I will request a withdrawal of this item. The contract in this package is scheduled for the February 2013 CITT meeting.

Scope
The impact of the item is countywide in nature.

Fiscal Impact/Funding Source
The allocation and funding source is listed in the attached item. The item included in this package utilizes Charter County Transportation Surtax funding.

Track Record/Monitor
There are no known performance/compliance issues with the vendor in this package. The department's contract manager is reflected in the attached item.

Delegated Authority
Pursuant to the awarded contract, which was approved through Resolution R-955-11, the County Mayor or County Mayor's designee will have the authority to exercise, in their discretion, subsequent options-to-renew periods in accordance with the terms and conditions of the contract. This item will authorize an additional allocation for the original contract term.

Due Diligence
Due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine Contractor responsibility, including verifying corporate status and review of performance or compliance issues. The lists referenced include: convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to Contractor responsibility. This information is provided pursuant to R-187-12.

Background
Additional background information is attached.

Attachment

Edward Marquez
Deputy Mayor

Memorandum

MIAMI-DADE COUNTY

Date: October 20, 2011

To: Alina T. Hudak
Deputy Mayor / County Manager

From: Mayor Carlos A. Gimenez

Subject: Contract No. 725 – Metrorail Control Center Upgrade

In accordance with the letter opinion issued by Robert Meyers, Executive Director, Miami-Dade Commission on Ethics and Public Trust dated August 31, 2011 ("Ethics Opinion"), I hereby delegate to you all delegable authority relating to the administration of Contract No. 725 – Metrorail Control Center Upgrade including, but not limited to, the authority to recommend to the Board of County Commissioners the award of the solicitation to a vendor. As I will not be sponsoring any award recommendation of this solicitation under the authority of the County Mayor, you should request that any recommended disposition of this solicitation which you deem to be in the best interest of Miami-Dade County be sponsored by a County Commissioner in accordance with the Commission's Rules of Procedure. I further delegate to you all delegable authority to administer any contract awarded as a result of Contract No. 725 – Metrorail Control Center Upgrade. You should exercise this authority and utilize your own judgment and should take all actions which are in the best interest of Miami-Dade County and consistent with the County Code, regulations, rules and the solicitation documents. Consistent with the Ethics Opinion I will not be participating in any decisions made regarding this solicitation.

c: Robert A. Cuevas, Jr., County Attorney

Item 1 – Contract Modification

Contract No.: 725	Title: Metrorail Control Center Upgrade

Type of Change:

☐ Additional Time
☒ Additional Spending Authority
☒ Authorization to use Charter County Transportation Surtax Funds as a Component of MDT Operating Funds

Contract Description and Reason for Change:

The contract is for the modernization of the Metrorail Control Center (MRCC) at the Stephen P. Clark Government Center. This project includes the development of existing office space to accommodate the modernization of the Central Control facility and systems, new hardware and software, and design and construction of necessary equipment for the control center.

This Supplemental Agreement No. 1 includes the following three modifications to that project:

- Data Transmission System (DTS) Switch Upgrade which will replace the current OC3 Nortel 3300 network system, which is outdated and for which new parts are no longer being produced. The new equipment provides the ability to integrate and connect to existing and future equipment via Ethernet communications. The cost of this modification will not exceed $298,979.

- Lehman Yard Historical Data Project – Currently, the Miami-Dade Transit (MDT) Department does not have any historical tracking of status data such as train locations, switch position, and breaker indications and controls at the Lehman Yard facility. In the event an incident takes place, it is difficult to recreate conditions that were present during the incident to determine the cause of the occurrence. The addition of this modification will provide MDT with the ability to have such data available for any subsequent investigation. The cost of this modification will not exceed $499,679.

- Fifth Floor Architectural Layout Modification at MRCC – The current configuration of the "War Room" at the MRCC is being modified to improve the Metro Bus area by providing sufficient room for anticipated future growth. The cost of this modification will not exceed $116,627.

Negotiations of this Supplemental Agreement resulted in a savings of over $250,000. The proposed pricing for the modifications are based upon rates established in the base agreement.

Current Term Length:		Additional Time Requested:
18 months		N/A
Current Term Start Date:	Current Term Expiration Date:	Proposed Expiration Date:
December 2, 2011	September 20, 2014	N/A

Department	Existing Allocation	Additional Allocation Requested	Modified Allocation	Funding Source	Contract Manager
Transit	$15,918,000	$916,000	$16,834,000	FDOT Grant/ PTP Funds	Daniel Mondesir
TOTAL	$15,918,000	$916,000	$16,834,000		

Contract Measures: ☐ Small Business Enterprise ☐ Set-Aside ☐ Bid Preference ☐ Selection Factor ☒ Other Disadvantaged Business Enterprise Goal

Local Preference Ordinance:	☒ Applies ☐ Does not apply
Living Wage Ordinance:	☐ Applies ☒ Does not apply
User Access Program:	☒ Applies where permitted by funding source ☐ Does not apply
Procurement Contracting Officer:	Andrew Zawoyski, CPPO

Contractor	Address	Principal
B&C Transit, Inc.	2300 East Oakland Boulevard Ste. 203 Ft. Lauderdale, FL	Alberto Fernandez

Item 1

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: March 5, 2013

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 Mayor'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)
3-5-13

RESOLUTION NO. _____

RESOLUTION AUTHORIZING MODIFICATION OF A COMPETITIVE CONTRACT TOTALING $916,000 FOR PURCHASE OF GOODS AND SERVICES, AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS

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 authorizes modification of a competitive contract as set forth in item 1 of the incorporated memorandum totaling $916,000 for the purchase of goods and services. The Board further authorizes the County Mayor or County Mayor's designee to exercise, at their discretion, contract modifications, options-to-renew, any cancellation provisions, and any other rights contained therein in accordance with the terms and conditions of the contract.

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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of March, 2013. 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

Memorandum

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Charles Scurr, Executive Director

Date: January 24, 2013

Re: **CITT AGENDA ITEM 6B:**
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS (BCC), AUTHORIZE COMPETITIVE CONTRACT AWARDS AND CONTRACT MODIFICATIONS, IN THE AMOUNT OF **$1,340,000.00**, FOR PURCHASE OF GOODS AND SERVICES, PROCESSED BY THE INTERNAL SERVICES DEPARTMENT (ISD) ON BEHALF OF MIAMI-DADE TRANSIT (MDT), AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS **(MDT/ISD – BCC Legislative File No. 130044 and 130060)**

On January 24, 2013, the CITT voted (9-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 13-002. The vote was as follows:

Paul J. Schwiep, Esq., Chairperson – Aye
Hon. Anna E. Ward, Ph.D., 1st Vice Chairperson – Aye
Glenn J. Downing, CFP®, 2nd Vice Chairperson – Aye

Christopher Benjamin, Esq. – Absent
Peter L. Forrest – Aye
Prakash Kumar – Aye
Hon. James A. Reeder – Absent
Hon. Linda Zilber – Aye

Joseph Curbelo – Aye
Alfred J. Holzman – Aye
Miles E. Moss, P.E. – Aye
Marilyn Smith – Absent

cc: Alina Hudak, Deputy Mayor/County Manager
Bruce Libhaber, Assistant County Attorney
Miguel Gonzalez, Assistant County Attorney