Memorandum

MIAMI-DADE COUNTY

Date: May 7, 2013

Agenda Item No. 8(F)(8)

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

From: Carlos A. Gimenez
Mayor

Subject: Resolution Ratifying Two Emergency Purchases, Approving a Contract Modification, and Authorizing Use of Charter County Surtax Funds

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Recommendation

It is recommended that the Board of County Commissioners (Board) waive competitive bidding procedures for the purchase of goods and services pursuant to Section 2-8.1 of the County Code and Section 5.03(D) of the Home Rule Charter and approve the attached emergency purchases and non-competitive contract modifications. These items are described briefly below and in more detail in the accompanying attachments.

Section 1 - Emergency Purchases

The items included in this section ratify emergency contract awards for the purchase of necessary goods and services. The cumulative value of the emergency contract awards in this section is $2,767,000.

Item 1.1 – Crossbeam Software Infrastructure Upgrade - Ratifies an emergency contract award in the amount of $769,000 to Crossbeam Systems, Inc., the sole proprietor of the system, for infrastructure upgrade and professional services for the existing Crossbeam System at Miami International Airport (MIA). The existing system supports daily operations at MIA.

Item 1.2 – Automated Fingerprint Identification System Upgrade - Ratifies an emergency contract award in the amount of $1,998,000 to Morpho Trak, Inc., the sole proprietor of the system, for emergency software system upgrades for the existing Automated Fingerprint Identification System. The existing system supports Miami-Dade Police Department's daily operations by capturing and storing fingerprints.

Section 2 - Contract Modifications

The contract modification in this section provides for additional time and/or spending authority for the purchase of necessary goods and services. The total additional funding requested for the contract listed in this section is $510,000.

Item 2.1 – Otis Elevators/Escalators Maintenance Services - Modifies a sole source contract for additional spending authority in the amount of $510,000 for Miami-Dade Transit to upgrade three escalators, manufactured by Otis Elevator Co., at the Tri-Rail Station. These aging escalators no longer meet Elevator Safety Code standards and require frequent repairs. Authorization is also requested to use Charter County Surtax Funds.

This agenda item is placed for Committee review pursuant to Miami-Dade County Code Section 29-124(f). The recommendation in Section 2 of this item 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. This contract is scheduled for the April 2013 CITT meeting.

Scope
The scope of the actions in this item are countywide in nature.

Fiscal Impact/Funding Source
The allocation and funding source for the departments are listed in detail in the attached items.

The contract amounts and departmental allocations represent the maximum spending authority based on past utilization. This action does not guarantee that the total contract amount/value will be expended by the department. Funding will be expended only if the department's budget can support the expenditures approved in its annual budget adopted by the Board.

Track Record/Monitor
There are no known performance/compliance issues with the vendors recommended for award in the attached items. Each departments' contract manager is reflected in the individual items.

Delegated Authority
If this item is approved, the County Mayor or County Mayor's designee will have the authority to extend the contracts for purchase of goods and services in accordance with the terms and conditions of the contracts listed in the attached items.

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 that were 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 being provided pursuant to Resolution R-187-12.

Background
Additional information on each item is attached.

Attachments

Edward Marquez
Deputy Mayor

MEMORANDUM
(Revised)

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

DATE: May 7, 2013

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

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

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)(8)
5-7-13

RESOLUTION NO. _____

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES BY A TWO-THIRDS (2/3S) VOTE OF THE BOARD MEMBERS PRESENT TO RATIFY EMERGENCY CONTRACTS IN AN AMOUNT UP TO $2,767,000.00, AND AUTHORIZING MODIFICATION OF A CONTRACT FOR THE PURCHASE OF GOODS AND SERVICES IN AN AMOUNT UP TO $510,000.00, AND AUTHORIZES USE OF CHARTER COUNTY SURTAX FUNDS

WHEREAS, the County Mayor recommends to this Board to waive formal bid procedures for the purchase of goods and services 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:

Section 1. This Board waives formal bid procedures, 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 members present.

Section 2. This Board ratifies emergency contracts as set forth in items 1.1 and 1.2 of the incorporated memorandum in a total amount of up to $2,767,000.00.

Section 3. This Board authorizes the modification of a contract as set forth in item 2.1 of the incorporated memorandum to add an additional $510,000.00 of spending authority for the purchase of goods and services.

Section 4. This Board authorizes the County Mayor or County Mayor's designee to execute contracts for the items approved herein and exercise contract modifications, options-to-

renew, any cancellation provisions, and any other rights contained therein in accordance with the terms and conditions of such contracts.

Section 5. This Board authorizes the use of Charter County Transportation Surtax Funds for the contracts, contract pools and contract modifications set forth herein.

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 7th day of May, 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.

Oren Rosenthal

Item 1.1 Emergency Purchase

Contract No.: E9721-AV	**Title: Crossbeam Software Infrastructure Upgrade**

Type of Non-competitive Action: ☐ Bid Waiver ☐ Sole Source ☒ Emergency Award

Justification:

The Miami-Dade Aviation Department (MDAD) certified an emergency contract award on December 20, 2012, for an emergency software infrastructure upgrade and purchase of professional services for the existing Crossbeam System (System) in use at the Miami International Airport (MIA). The Crossbeam System infrastructure is a group of software applications that together support MDAD daily operations within MIA. The System serves as the backend integrator for several different applications that provide access to MDAD's network and supports airline systems, baggage systems, security systems, parking systems throughout MIA, and other business partners worldwide. The existing Crossbeam equipment and software reached the end of its useful life and began to negatively affect internal operations. As a result, MDAD declared an emergency and awarded an emergency contract to Crossbeam Systems, Inc., the sole proprietor of the System, to upgrade the existing software to the most current release and purchase the required equipment to upgrade the infrastructure to stabilize operations and ensure availability. Aviation was at a critical point where the system had become unstable and was set for a system failure.

Contract Start Date:	**Modified Term Length:** N/A
December 28, 2012 (One time purchase)	

Department	**Emergency Contract Value**	**Funding Source**	**Contract Manager**
Aviation	$769,000	Proprietary Funds	Neivy Garcia
TOTAL	**$769,000**		

Contract Measures:	☐ Small Business Enterprise ☐ Set-Aside ☐ Bid Preference ☐ Selection Factor ☒ Other No Measure – Emergency Award
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:	Dakota Thompson, CPPB

Vendor	**Address**	**Principal**
Crossbeam Systems, Inc	80 Central Street, Boxborough, MA 01719	Jay Miller

Item 1.2 Emergency Purchase

Contract No.: E9741-PD	**Title: Automated Fingerprint Identification System Upgrade**

Type of Non-competitive Action: ☐ Bid Waiver ☐ Sole Source ☒ Emergency Award

Justification:

The Miami-Dade Police Department (MDPD) certified an emergency contract award on February 26, 2013, for an emergency software system upgrade for the existing Automated Fingerprint Identification System (AFIS) used at MDPD. In accordance with Florida Statute 943.051, "Criminal justice information; collection and storage, fingerprinting," Miami Dade County is required to secure the fingerprints of arrestees. In order to comply with this statutory requirement, the County utilizes the AFIS to capture and store fingerprints. The existing AFIS equipment and software has reached the end of its useful life and was negatively affecting internal operations. AFIS exceeded its designed capacity for fingerprints, palm prints and latent records, which is a critical component in the daily operations of MDPD and was experiencing system instability. As a result, MDPD declared an emergency and awarded an emergency contract to Morpho Trak, Inc. the sole proprietor of AFIS, to upgrade the existing software release and purchase the required equipment to upgrade the infrastructure to stabilize operations and ensure availability. MDPD was at a critical point where AFIS was becoming unstable, if this emergency was not issued AFIS would continue to experience problems and MDPD to be out of compliance with Florida Statute 943.051.

Contract Start Date:	**Modified Term Length:** N/A
March 1, 2013 (One time purchase)	

Department	Emergency Contract Value	Funding Source	Contract Manager
Police	$1,998,000	Capital Outlay Reserve / Impact Fees	Laura Romano
TOTAL	**$1,998,000**		

Contract Measures:	☐ Small Business Enterprise ☐ Set-Aside ☐ Bid Preference ☐ Selection Factor ☒ Other No Measure – Emergency Award
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:	Dakota Thompson, CPPB

Vendor	Address	Principal
Morpho Trak, Inc.	1145 Broadway Plaza, Tacoma, WA	George Hodges

Item 2.1 Contract Modification

Contract No.: SS4416-15/25-1	**Title:** **Otis Elevators/Escalators Maintenance Services**

	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:

This contract is for maintenance, repair, and modernization of elevators and escalators manufactured by Otis Elevator Co. Miami-Dade Transit (MDT) has requested an increase in allocation to upgrade three OTIS escalators at the Tri-Rail Station. These escalators were installed when the station was constructed in the late-1980s in accordance to the elevator safety codes and technology at that time. Elevator safety codes have since evolved and the escalators no longer meet current codes. In addition, the aging equipment frequently breaks down causing safety concerns for MDT patrons. Modernization of the escalators will ensure safer and improve performance of the equipment, as well as compliance with current elevator safety code. The cost to modernize each escalator is $170,000.

Current Term Length:		**Additional Time Requested:**
60 months		N/A
Current Term Start Date:	**Current Term Expiration Date:**	**Proposed Expiration Date:**
October 1, 2010	September 30, 2015	N/A

Departments, Allocations, and Additional Funds Requested

Department	Existing Allocation	Additional Allocation	Modified Allocation	Funding Source	Contract Manager
Various	$7,622,000	$0	$7,622,000	Various	Various
Transit	531,000	510,000	1,041,000	MDT Operating	Dunbar Cornelle
TOTAL	**$8,153,000**	**$510,000**	**$8,663,000**		

Contract Measures:	☐ Small Business Enterprise ☐ Set-Aside ☐ Bid Preference ☐ Selection Factor ☒ Other No Measure – Sole Source
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:	Lourdes Betancourt

Vendor(s)	Local Address	Principal
Otis Elevator Company	16200 NW 59th Ave # 109 Hialeah, FL	Christopher Witzky

Memorandum

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

From: Charles Scurr, Executive Director

Date: April 17, 2013

Re: **CITT AGENDA ITEM 5B:**
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 **$1,110,000.00**, 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. 130519 and 130524)**

On April 17, 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. 13-015. 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 – Aye
Hon. Linda Zilber – Absent

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