

Memorandum



Date: December 17, 2013

To: Honorable Chairwoman Rebeca Sosa
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

Agenda Item No. 8(F)(2)

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 Options-to-Renew (OTRs) set forth in this item. Ordinance No. 07-139 provides for committee review exemption.

Item 1 – IBM Hardware/Software Maintenance Services: Seeks authority to exercise the fourth one-year OTR term for International Business Machines hardware, software, maintenance, support and professional services for the Information Technology Department (ITD). The OTR term is estimated at \$8,934,000. Approval of this item will extend the contract through December 31, 2014.

Item 2 – Serena Software Maintenance and Support: Seeks authority to exercise the remaining two, one-year OTR terms for the Startool File and Data Management System software, maintenance, and support services for ITD. Each of the remaining OTR terms is estimated at \$158,000 each, for a total of \$316,000. Approval of this contract will extend the contract through January 31, 2016.

Scope

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

Fiscal Impact/Funding Source

Contract amount and department allocations represent the maximum spending authority based on estimated past usage. This action does not guarantee that the total contract amounts/values will be expended by these 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 managers are reflected in the attached OTR package.

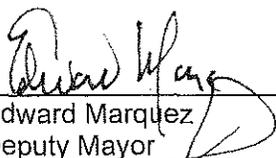
Delegated Authority

If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise 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.

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.


Edward Marquez
Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: December 17, 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)
12-17-13

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, IN A TOTAL AMOUNT NOT TO EXCEED \$9,250,000.00, 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 options-to-renew set forth in this item when in the best interest of Miami-Dade County in a total amount not to exceed \$9,250,000.00; 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:

Rebeca Sosa, Chairwoman

Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of December, 2013. This resolution shall become effective as follows: (1) 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

Contract No.: BW9130-5/19-3	Title: IBM Hardware/Software Maintenance Services
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It is recommended that the Board authorize the County Mayor or County Mayor's designee to exercise the fourth Option-to-Renew (OTR) term to a contract with International Business Machines (IBM) hardware, software, maintenance, support and professional services for the Information Technology Department (ITD).

Initial Contract Term and OTRs with Total Allocation		
Initial Contract Term:	January 1, 2010 – December 31, 2010	\$8,395,000
First OTR:	January 1, 2011 – December 31, 2011	8,441,000
Second OTR:	January 1, 2012 – December 31, 2012	8,371,000
Third OTR	January 1, 2013 – December 31, 2013	8,339,000
	Subtotal	\$33,546,000
OTR Requested for Approval Under This Item:		
Fourth OTR:	January 1, 2014 – December 31, 2014	\$8,934,000
	Subtotal	\$8,934,000
	Cumulative Value	\$42,480,000

JUSTIFICATION

This contract provides ITD with the ability to purchase required hardware, software, maintenance, support, and professional services provided by International Business Machines (IBM). The value of each OTR is based on recurring maintenance and support costs for existing products, but can change for any additional purchases for hardware, software and professional services for the new projects, and/or the expansion of existing systems. This OTR term includes ongoing maintenance and support of existing IBM systems plus the expansion and upgrade of storage area network infrastructure to support continuous data growth and its storage. 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, such as the Criminal Justice Information System, Financial Accounting Management Information System, and the Advanced Purchasing and Inventory Control System, to name a few. During this period, many software applications have been developed based on IBM. 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. IBM is the sole proprietor and developer of the required software licenses, maintenance, and support services required by the County. No other vendor is capable of providing these services to support the existing infrastructure managed by ITD. This contract provides the County with IBM's most favored customer pricing equal to that offered to the Federal General Services Administration, including any incentive or promotional discounts that may be available, and fixed pricing for maintenance renewals through the remainder of the contract term.

Using/Managing Departments and Funding Sources:			
Department	Allocation Requested	Funding Source	Contract Manager
Information Technology	\$8,934,000	Internal Service Funds	Mirta Lopez-Cardoso
Total:	\$8,934,000		

Vendor	Address	Principal
International Business Machines Corporation	5301 Blue Lagoon Drive, Suite 390 Miami, FL	Virginia Rometty

Contract Measures:	<input type="checkbox"/> Small Business Enterprise	<input type="checkbox"/> Set-Aside	<input type="checkbox"/> Bid Preference
	<input type="checkbox"/> Selection Factor	<input checked="" type="checkbox"/> Other	
Local Preference Ordinance:	<input type="checkbox"/> Applies <input checked="" type="checkbox"/> Does not apply		
Living Wage Ordinance:	<input type="checkbox"/> Applies <input checked="" type="checkbox"/> Does not apply		
User Access Program:	<input checked="" type="checkbox"/> Applies where permitted by funding source <input type="checkbox"/> Does not apply		
Procurement Contracting Officer:	Santiago Pastoriza		

Item 2

Contract No.: SS6723-5/15-3	Title: Serena Software Maintenance and Support Agreement
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It is recommended that the Board authorize the County Mayor or County Mayor's designee to exercise the fourth and fifth Option-to-Renew (OTR) terms for the agreement with Serena Software, Inc. for software, maintenance, and support services for the existing Startool File and Data Management Services.

Initial Contract Term and OTRs with Total Allocation		
Initial Contract Term:	August 1, 2009 – July 31, 2010	\$74,000
First OTR:	August 1, 2010 – January 31, 2012	92,000
Second OTR:	February 1, 2012 – January 31, 2013	76,000
Third OTR	February 1, 2013 – January 31, 2014	70,000
Subtotal		\$312,000
OTR Requested for Approval Under This Item:		
Fourth OTR:	February 1, 2014 – January 31, 2015	\$75,000
Fifth OTR	February 1, 2015 – January 31, 2016	79,000
Subtotal		\$154,000
Cumulative Value		\$466,000

JUSTIFICATION

This contract is used by the Information Technology Department (ITD) to obtain contractually required software maintenance and support services for the existing Startool FDM (File and Data Management) software, copyrighted by Serena Software, Inc. Serena StarTool has been in use since 1992, and must be supported without interruption as it is an integral part of the County's mainframe operations. These tools perform powerful utility functions required to edit and manage nearly all types of mainframe files and data, for quick and cost-effective resolution of problems in both production and test data.

Serena Software, Inc. is the sole developer and proprietor of the Startool FDM software. Market research confirmed that no other vendor is capable of providing the required software maintenance and support services, and the Startool FDM software has been customized to work with the County's IBM mainframe operating system. In order to have uninterrupted access to the required software and its updates and fixes, it is recommended to exercise the fourth and fifth option to renew terms, which is in the best interest of the County.

Using/Managing Departments and Funding Sources:			
Department	Allocation Requested	Funding Source	Contract Manager
Information Technology	\$154,000	Internal Service Funds	Mirta Lopez-Cardoso
Total:	\$154,000		

Vendor	Address	Principal
Serena Software, Inc.	1900 Seaport Boulevard, Second Floor, Redwood City, CA	Cindy Dawson

Contract Measures:	<input type="checkbox"/> Small Business Enterprise	<input type="checkbox"/> Set-Aside	<input type="checkbox"/> Bid Preference
	<input type="checkbox"/> Selection Factor	<input checked="" type="checkbox"/> Other	
Local Preference Ordinance:	<input type="checkbox"/> Applies <input checked="" type="checkbox"/> Does not apply		
Living Wage Ordinance:	<input type="checkbox"/> Applies <input checked="" type="checkbox"/> Does not apply		
User Access Program:	<input checked="" type="checkbox"/> Applies where permitted by funding source <input type="checkbox"/> Does not apply		
Procurement Contracting Officer:	Margaret Brown		