


Memorandum



Date: November 7, 2017

To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Recommendation to Ratify Emergency Award: Integrated Pest Management

Agenda Item No. 8(F)(13)

Recommendation

It is recommended that the Board of County Commissioners (Board) waive 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 vote of the Board members present and ratify an emergency contract award, *E9930-MT, Integrated Pest Management*, in the amount of \$379,003.79 for the Miami-Dade Transportation and Public Works Department. This emergency contract was necessary to immediately address pest control on County buses. Transportation and Public Works utilized a competitively established contract, *Contract No. EPP-WOPR8264-2, Integrated Pest Management*, for the purchase of integrated pest management services for its facilities. The contract was awarded to El Toro Exterminator of Florida, Inc. d/b/a Toro Pest Management (Toro) in March 2010. Under the terms of the contract, Toro was responsible for the elimination of indoor pests in Metrorail and Metromover cars and facilities, as well as County buses.

When Transportation and Public Works began to receive numerous complaints regarding insects on County buses, Toro was instructed to begin fumigating 20 buses per week to immediately address the insect population. Transportation and Public Works increased the number of buses receiving fumigation services to 75 in order to maintain maximum suppression of insect activity. In August 2016, the department realized that the additional services were depleting its allocation. A modification for additional expenditure authority was prepared for Board consideration. However, there was insufficient time to present the item prior to the expiration of the contract. Accordingly, ratification of this emergency contract is requested to pay invoices submitted by Toro that exceeded the contract allocation. Staff has evaluated the circumstances that led to this emergency, and future contract modification requests will be presented for timely consideration by the Board.

Scope

The impact of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact of this emergency purchase is \$379,003.79.

Department	Allocation	Funding Source	Contract Manager
Transportation and Public Works	\$379,003.79	DTPW Operating	Jesus Valderrama
Total:	\$379,003.79		

Track Record/Monitor

Basia Pruna of the Internal Services Department is the Procurement Contracting Manager.

Delegated Authority

The County Mayor or the County Mayor's designee will have the authority to exercise all provisions of the contract, including any renewals or extensions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Awarded Vendor

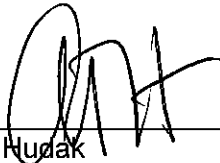
Vendor	Principal Address	Local Address	Principal
El Toro Exterminator of Florida, Inc. dba Toro Pest Management (SBE)	1460 NW 107 Avenue Unit I Miami, FL	Same	Renato Perez

Due Diligence

Pursuant to Resolution No. R-187-12, 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 and compliance issues through various vendor responsibility lists and a keyword internet search. 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.

Applicable Ordinances and Contract Measures

- The User Access Program provision applies and the two percent program discount will be collected on all purchases.
- The Small Business Enterprise Bid Preference and Local Preference Ordinances do not apply.
- The Living Wage Ordinance does not apply.



Alina T. Hudak
Deputy Mayor



MEMORANDUM
(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: November 7, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(F)(13)

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
- Statement of social equity 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)(13)
11-7-17

RESOLUTION NO. _____

RESOLUTION AUTHORIZING WAIVER OF 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 VOTE OF THE BOARD MEMBERS PRESENT; RATIFYING AN EMERGENCY CONTRACT IN THE AMOUNT OF \$379,003.79 FOR THE PURCHASE OF INTEGRATED PEST MANAGEMENT SERVICES FOR THE TRANSPORTATION AND PUBLIC WORKS DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

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 finds it is in the best interest of Miami-Dade County to waive 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 vote of the Board members present.

Section 2. This Board ratifies the emergency contract as set forth in the incorporated memorandum in a total amount of \$379,003.79 and authorizes the County Mayor or County Mayor's designee to exercise all provisions of the contract pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38. A copy of the contract is on file with and available upon request from the Internal Services Department, Procurement Management Services Division.

A

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:

- | | |
|-------------------------------------|----------------------|
| Esteban L. Bovo, Jr., Chairman | |
| Audrey M. Edmonson, Vice Chairwoman | |
| Bruno A. Barreiro | Daniella Levine Cava |
| Jose "Pepe" Diaz | Sally A. Heyman |
| Barbara J. Jordan | Joe A. Martinez |
| 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 7th day of November, 2017. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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