

# Memorandum



**Date:** May 5, 2020

**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

Agenda Item No. 8(F)(6)

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Recommendation for Approval of a Designated Purchase, Nyxcell Cellular Tracking Equipment

## Recommendation

It is recommended that the Board of County Commissioners approve this request for a designated purchase, *Contract No. SS10063, Nyxcell Cellular Tracking Equipment*, to Tactical Support Equipment, Inc. (TSE), for the Miami-Dade Police Department (MDPD). Approval of a designated purchase is being requested, pursuant to Section 2-8.1 (b)(3) of the Miami-Dade County Code, to authorize award of a contract that provides the Department with cellular tracking technology which is used to aid criminal investigations, victims of natural disasters, terrorist incidents, and incidents involving an active shooter.

The Department's Telecommunications Unit conducts cellular telephone tracking on behalf of investigative entities and many municipal police departments within Miami-Dade County. This acquisition will provide for the outfitting of police vehicles with the equipment necessary to conduct tracking of cellular devices, and will include a hand-held device which will be used to locate cellular devices in multi-unit structures such as apartment complexes and hotels.

This equipment will replace the Department's current cellular tracking technology provided by Harris Corporation under Contract No. GS-35F-0283J-4. Harris Corporation has advised that effective June 2020 they will no longer provide cellular tracking technology and vital software updates. As more cellular network providers upgrade their technology, the current equipment will not be able to access their cellular signals.

Competition for these goods is not practicable because the equipment supplied by TSE is the only cellular tracking technology available to local law enforcement agencies that can simultaneously search multiple cellular bands for active cellular signals, thus allowing for the timely capture of the signal emanating from a target cellular phone. Each piece of equipment provided by TSE is proprietary in nature, works in conjunction with each other, and cannot be combined with products from other manufacturers. Accordingly, it is in the County's best interest to award this designated purchase pursuant to Section 2-8.1(b)(3) of the County Code to acquire the Nyxcell Cellular Tracking Equipment.

## Scope

The scope of this item is countywide in nature.

## Fiscal Impact/Funding Source

The fiscal impact for the three-year term is \$593,889. Should the County choose to exercise, at its sole discretion, the two, one-year options to renew, the estimated cumulative value will be \$696,139.

Department	Allocation	Funding Source	Contract Manager
Police	\$593,889	Impact Fees	Laura Romano
<b>Total:</b>	<b>\$593,889</b>		

**Track Record/Monitor**

Sade Chaney of the Internal Services Department is the Procurement Contracting Manager.

**Delegated Authority**

If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise all provisions of the contract, including any cancellation, renewal or extension provisions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

**Vendor Recommended for Award**

Vendor	Principal Address	Local Address*	Number of Employee Residents	Principal
			1) Miami-Dade 2) Percentage*	
Tactical Support Equipment, Inc.	2773 Pinecrest Drive SE Southport, NC	None	0 0%	Carl Beene

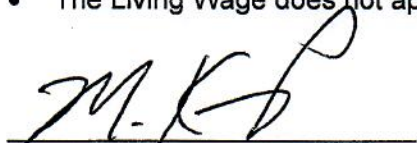
\*Provided pursuant to Resolution No. R-1011-15. Percentage of employee residents is the percentage of vendor's employees who reside in Miami-Dade County as compared to the vendor's total workforce.

**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 that there are no performance or compliance issues. The lists that were referenced included 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 two percent User Access Program provision applies.
- The Small Business Enterprise measures and Local Preference do not apply.
- The Living Wage does not apply.

  
Maurice Kemp  
Deputy Mayor

2



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** May 5, 2020

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 8(F)(6)

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 present , 2/3 membership , 3/5's , unanimous , CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) , CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) , or CDMP 9 vote requirement per 2-116.1(4)(c)(2)  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)(6)  
5-5-20

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING AWARD OF CONTRACT NO. SS10063 FOR THE PURCHASE OF NYXCELL CELLULAR TRACKING EQUIPMENT TO TACTICAL SUPPORT EQUIPMENT, INC. IN AN AMOUNT NOT TO EXCEED \$696,139.00 FOR THE INITIAL THREE-YEAR TERM AND TWO, ONE-YEAR OPTIONS TO RENEW FOR THE MIAMI-DADE POLICE DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWAL AND EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

**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:

**Section 1.** This Board finds it is in the best interest of Miami-Dade County to award Contract No. SS10063 for the purchase of Nyxcell Cellular Tracking Equipment to Tactical Support Equipment, Inc. in an amount not to exceed \$696,139.00 over the initial three-year term and two, one-year options to renew term for the Miami-Dade Police Department, pursuant to Section 2-8.1(b)(3) of the Code of Miami-Dade County, by a two-thirds vote of the Board members present.

**Section 2.** This Board 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.

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:

Audrey M. Edmonson, Chairwoman	
Rebeca Sosa, Vice Chairwoman	
Esteban L. Bovo, Jr.	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 5<sup>th</sup> day of May, 2020. 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