

Memorandum



Date: April 4, 2023

Agenda Item No. 8(P)(5)

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor *Daniella Levine Cava*

Subject: Recommendation for Approval to Award a Contract for Inmate Uniforms

Summary

This item is for the purchase of inmate uniforms used by the Miami-Dade Corrections and Rehabilitation (MDCR) and Juvenile Services (JSD) Departments. MDCR and JSD provide uniforms and related clothing to the estimated 4,000 inmates housed in detention and juveniles facilities in Miami-Dade County; including, but not limited to, scrub sets, underclothing, gym shorts, shoes, t-shirts, sweatshirts, pants, jumpsuits, and socks. This contract will provide quality clothing for inmates and juveniles and specific prison uniforms required to ensure inmate safety and avoidance of accidents in and around the facilities.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve a competitive contract award, *Contract No. FB-01978, Inmate Uniforms*, to Bordova Innovations Inc. in the amount of \$6,625, Bob Barker Company, Inc. in the amount of \$2,854, Gassant Enterprises, LLC dba Gassant Enterprises in the amount of \$1,188,789, Global Trading, Inc. in the amount of \$104,572, Palmetto Uniforms, Inc. in the amount of \$1,045,023, and Victory Supply, LLC in the amount of \$718, for a cumulative amount of \$2,348,581 for a five-year term for MDCR and JSD. A Small Business Enterprise (SBE) set-aside measure was applied to Group 1 (General-funded purchases) and no contract measures applied to Group 2 (State-funded purchases). Three of the six vendors recommended for award are certified SBE firms. This contract will replace *Contract No. FB-00487*, which was awarded by the Board on October 3, 2017, through Resolution No. R-842-17, for a five-year term.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the five-year term is \$2,348,581. The current contract, *FB-00487*, is valued at \$3,071,900, for the five-year and six months term and expires on April 30, 2023. A 20 percent contingency is included in the allocation for MDCR to ensure capacity for unanticipated needs due to fluctuations in the inmate population.

Department	Allocation	Funding Source	Contract Manager
MDCR	\$2,324,021	General Fund	Daphne Killing-Moore
JSD	\$24,560	General Fund/ State Funds	Johan Williams
Total:	\$2,348,581		

Track Record/Monitor

Shari Francis of the Strategic Procurement 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 give notice of this award to the recommended vendors below, issue the appropriate orders to give effect to

MDC001

same and exercise all provisions of the contract, including any cancellation or extension provisions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Vendors Recommended for Award

An Invitation to Bid was issued under full and open competition. Ten bids were received in response to the solicitation, including one “No Bid”. The solicitation was reviewed to maximize opportunities for small and local business participation. Staff contacted certified SBE firms that fall within the scope of work of this contract and associated commodity codes.

Pursuant to Resolution No. R-477-18, three of the six recommended vendors are non-local, and are being recommended in accordance with the method of award to the lowest priced responsive, responsible bidder on an item-by-item basis. Upon advertisement of the solicitation, a total of 5,280 vendors were notified in BidSync, of which 77 viewed the solicitation. Additionally, outreach efforts included contacting vendors identified through market research, as well as notifying incumbent vendors of the draft scope of services.

Vendor	Principal Address	Local Address	Number of Employee Residents	Principal	Awarded Group(s) Item(s)
			1) Miami-Dade 2) Percentage*		
Bordova Innovations Inc.	22 Webster Avenue Brooklyn, NY	None	12	Abe Kiwak	Group 2: Item 5
			0%		
Bob Barker Company, Inc.	7925 Purfoy Road Fuquay Varina, NC	None	242	Robert Barker Sr.	Group 2: Items 1 and 3
			0%		
Gassant Enterprises, LLC dba Gassant Enterprises (SBE)	20609 NW 14 Place Miami, FL	Same	1	Makeba Gassant	Group 1: Items 4, 7, 8, 9, 11, 12, 13 and 15 Group 2: Item 4
			100%		
Global Trading, Inc. (SBE)	7500 NW 25 Street Unit 12 Miami FL	Same	17	Viraj Wikramanayake	Group 1: Items 2 and 3
			47%		
Palmetto Uniforms, Inc. (SBE)	8869 SW 131 Street Miami, FL	Same	1	Ramonita Cruz Feick	Group 1: Items 1, 5, 6, 10 and 14
			100%		
Victory Supply, LLC	7025 Industrial Park Road Mount Pleasant, TN	None	36	Kathleen Trommer	Group 2: Item 2
			0%		

*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.

Vendors Not Recommended for Award or Did Not Bid

The vendors in the below table are not being recommended for award or did not bid.

Vendor	Local Address	Reason for Not Recommending
Acme Supply Co., Ltd.	No	Group 1 – Bidders were non-compliant with the set-aside measure Group 2 - Higher than lowest bid
The Players Connection of Florida, LLC	Yes	
Prison Rehabilitative Industries and Diversified Enterprises, Inc. dba PRIDE Enterprises	No	Deemed non-responsive by the County Attorney’s Office (opinion attached)
American Safety Utility Corp	Not applicable	No Bid*

*A “No Bid” means the vendor responded indicating that it will not be providing an offer.

Due Diligence


Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with the Strategic Procurement Department's Procurement Guidelines to determine vendor responsibility, including verifying corporate status and that there are no performance and compliance issues through various vendor responsibility lists and a keyword internet search. 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 vendors responsibility.

Pursuant to Resolution No. R-140-15, prior to re-procurement, a full review of the scope of services was conducted to ensure the replacement contract reflects the County's current needs. The review included conducting market research, posting a draft solicitation for industry comment, and holding meetings and drafting sessions with the user department. The scope of services was updated to include new items for inmate clothing that meet or exceed industry standards.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision applies where permitted by the funding source.
- The SBE Set-aside applied to Group 1. No measures applied to Group 2.
- The Living Wage Ordinance does not apply as this is for the purchase of goods.
- The Responsible Wages and Benefits Ordinance does not apply as this is for the purchase of goods.

Attachment



JD Patterson
Chief of Corrections and Forensics

Date: January 18, 2023

To: Cheryl Page
Procurement Contracting Officer
Strategic Procurement Division

From: Melanie Spencer
Assistant County Attorney

Subject: Request for Responsiveness Determination on FB-01978 Inmate Uniforms

You have asked this office if four bids provided in response to FB No. 01978 are responsive. I rely on the information provided in your revised memorandum dated January 10, 2023 and provided via email on January 13, 2023. I will address each bidder in turn.

BACKGROUND

The purpose of the ITQ (the “Solicitation”) was to establish a contract for the purchase of uniforms for the County’s inmates on an as needed basis. The method of award was on a line-item basis for items in one of two groups (group one general funded and group two state-funded).

DISCUSSION

Addendum 5 to the Solicitation instructed bidders that “**BID PRICES MUST BE ENTERED ON Attachment C-Revised Price Form**, as per Addendum #4-Section A changes to the Solicitation-Paragraph No.3.” (emphasis in original). The Revised Price Forms differs from the original in one area only by including one additional line item (line item 15). The original price form ends with line item 14.

Prison Rehabilitative Industries and Diversified Enterprises, Inc. d/b/a PRIDE Enterprises (“Pride”) did not submit a price form with its bid. Because Pride did not submit any pricing, there is nothing for the County to evaluate and their bid is non-responsive.

Bordova Innovation’s Inc’s (“Bordova”) bid submittal form does not appear to be the Revised Price Form as the price form ends with line item 14.

Responses to a solicitation must be capable of assuring the County that, if accepted, the proposal will result in a contract that can be performed in accordance with the requirements of the solicitation. *See, e.g., Glatstein v. City of Miami*, 399 So. 2d 1005, 1007-08 (Fla. 3d DCA 1981). Here, because the contract award is by line-item, and Bordova has provided a bid for other line items, the County can be assured that Bordova is bound by its bid on the other line items and the failure to use the Revised Bid Form and include a bid for line item 15 is not material and does not render Bordova’s bid as the lowest bidder for Group 2 item #4 non-responsive. Additionally, you have advised that line item 15 was only for Group 1, which was a set-aside and only three vendors qualified to bid, per SBD criteria and Bordova was not one of the qualified bidders for Group 1. In conclusion, Bordova’s bid is responsive.

Victory Supply, LLC's bid submittal was similar to Bordova's bid as they did not appear to use the Revised Bid Form and therefore did not provide a bid for line item 15. The same analysis applies, and the failure to provide a bid for line item 15 does not render their bid as the lowest bidder for line item 2 in Group 2 non-responsive. Victory Supply, LLC was also not a qualified bidder for Group 1 adding further support that their bid is responsive.

Gassant Enterprises, LLC submitted pricing on a price-line where a price was not requested in the Revised Price Form. Gassant Enterprises, LLC, provided pricing for sandals in line item 4 in Group 2 for size S-XL as requested, but also provided pricing underneath on the form perhaps for larger sizes that were not requested. Responses to a solicitation must be capable of assuring the County that, if accepted, the proposal will result in a contract that can be performed in accordance with the requirements of the solicitation. *See, e.g., Glatstein v. City of Miami*, 399 So. 2d 1005, 1007-08 (Fla. 3d DCA 1981). The County can be assured that Gassant Enterprises LLC is bound by its pricing for the size S-XL sandals even though additional pricing was provided for an item that was not requested and their bid is therefore responsive.

Bob Barker Company, Inc. had a similar issue as Gassant Enterprises, LLC and provided pricing for the size S-XL men's briefs as requested in Group 2, line 1 but also provided pricing below for a non-existent line item. The same analysis applies to Bob Barker Company as the County can be assured that Bob Barker Company Inc.'s bid for the line item is requested is in fact the pricing for the item the County is seeking. Bob Baker Company Inc.'s bid is therefore responsive.



Melanie J. Spencer



MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: April 4, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(P)(5)

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(P)(5)
4-4-23

RESOLUTION NO. _____

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01978 TO BORDOVA INNOVATIONS INC. IN AN AMOUNT NOT TO EXCEED \$6,625.00, BOB BARKER COMPANY, INC. IN AN AMOUNT NOT TO EXCEED \$2,854.00, GASSANT ENTERPRISES, LLC DBA GASSANT ENTERPRISES IN AN AMOUNT NOT TO EXCEED \$1,188,789.00, GLOBAL TRADING, INC. IN AN AMOUNT NOT TO EXCEED \$104,572.00, PALMETTO UNIFORMS, INC. IN AN AMOUNT NOT TO EXCEED \$1,045,023.00, AND VICTORY SUPPLY, LLC IN AN AMOUNT NOT TO EXCEED \$718.00 FOR THE PURCHASE OF INMATE UNIFORMS FOR THE MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT AND JUVENILE SERVICES DEPARTMENT WITH A CUMULATIVE AMOUNT NOT TO EXCEED \$2,348,581.00 FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING CANCELLATION OR EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY

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 approves award of Contract No. FB-01978 to Bordova Innovations Inc. in an amount not to exceed \$6,625.00, Bob Barker Company, Inc. in an amount not to exceed \$2,854.00, Gassant Enterprises, LLC dba Gassant Enterprises in an amount not to exceed \$1,188,789.00, Global Trading, Inc. in an amount not to exceed \$104,572.00, Palmetto Uniforms, Inc. in an amount not to exceed \$1,045,023.00, and Victory Supply, LLC in an amount not to exceed \$718.00 for the purchase of

inmate uniforms for the Miami-Dade Corrections and Rehabilitation Department and Juvenile Services Department with a cumulative amount not to exceed \$2,348,581.00 for a five-year term; and authorizes the County Mayor or County Mayor's designee to give notice of this award to the vendors above, issue the appropriate orders to give effect to same and exercise all provisions of the contract, including cancellation or extension provisions, pursuant to section 2-8.1 of the Code of Miami-Dade County, Florida and Implementing Order 3-38. A copy of the contract document is on file with and available upon request from the Strategic Procurement Department.

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:

Oliver G. Gilbert, III, Chairman	
Anthony Rodríguez, Vice Chairman	
Marleine Bastien	Juan Carlos Bermudez
Kevin Marino Cabrera	Sen. René García
Roberto J. Gonzalez	Keon Hardemon
Danielle Cohen Higgins	Eileen Higgins
Kionne L. McGhee	Raquel A. Regalado
Micky Steinberg	

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of April, 2023. 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

LUIS G. MONTALDO, CLERK AD INTERIM

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

mjs

Melanie J. Spencer