Approved _____ Mayor
Veto _____
Override _____

Substitute
Agenda Item No. 8(O)(1)(A)
03-20-07

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-365-07

RESOLUTION AUTHORIZING THE REJECTION OF ALL BIDS RECEIVED IN RESPONSE TO UNIFORMS AND ACCESSORIES, INVITATION TO BID NO. 1178-2/09, TO RE-ADVERTISE FOR UNIFORMS AND ACCESSORIES AND TO WAIVE BID PROTEST PROCEDURES

WHEREAS, the County Manager recommends to this Board the rejection of all bids received in response to Uniforms and Accessories, Invitation to Bid No. 1178-2/09, to re-advertise for uniforms and accessories, and to waive Bid Protest Procedures,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby authorizes the rejection of all bids received in response to Uniforms and Accessories, Invitation to Bid No. 1178-2/09, to re-advertise for uniforms and accessories and to waive the bid protest procedures pursuant to Section 4.03(D) of the Home Rule Charter and Section 2-8.1 of the County Code by a two-thirds (2/3s) vote of the Board members present.

The foregoing resolution was offered by Commissioner Sen. Javier D. Souto who moved its adoption. The motion was seconded by Commissioner Rebeca Sosa , and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman aye
Barbara J. Jordan, Vice-Chairwoman aye

Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Carlos A. Giménez	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 22nd day of March, 2007. 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: KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Bruce Libhaber

Memorandum

MIAMI-DADE COUNTY

Date:	March 20, 2007
To:	Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners
From:	George M. Burgess County Manager
Subject:	Resolution Authorizing the Rejection of All Bids Received for Bid No. 1178-2/09: Uniforms and Accessories for Miami-Dade Transit, Waiver of the Bid Protest Procedures and to Re-advertise

Substitute
Agenda Item No. 8(O)(1)(A)

This item has been amended to include language in the resolution regarding the authorization to waive bid protest procedures.

Recommendation

It is recommended that the Board of County Commissioners reject all bids received for the referenced contract to purchase uniforms and accessories for Miami-Dade Transit and other County departments, waive the bid protest procedures and re-advertise a solicitation for uniforms and accessories.

Scope

The impact of the recommended bid rejection is countywide in nature.

Fiscal Impact/Funding Source

There is no fiscal impact associated with the recommended bid rejection.

Track Record/Monitor

Not applicable as award is not recommended at this time.

Background

This solicitation was advertised on April 18, 2006. Three proposals were received from:

- Monica Manufacturing d/b/a All Uniform Wear (certified SBE)
- Global Trading, Inc., (certified SBE)
- Superior Uniform Group, Inc., the incumbent firm

Proposals were opened on May 10, 2006. Subsequent to the bid opening, samples were requested by the evaluation committee which included transit union representatives and MDT procurement staff.

Global Trading, Inc., the apparent low bidder after the application of the Small Business Enterprise 10 percent bid preference, was deemed non-responsive because it offered prices for garment sizes which were outside of the terms and conditions of this solicitation. Monica Manufacturing d/b/a All Uniform Wear, the apparent second low bidder after the application of the Small Business Enterprise 10 percent bid preference was deemed non-responsive because the samples presented as "or equal" for Items #25-Sweater, #28-Baseball Style Caps and #29-Adjust-O-Cap were determined not to be equal, and the firm failed to submit the requested samples for Items #26-Bus Operators Caps, #27-Supervisors Caps, and #47-Cap Straps. On October 6, 2006 the County Manager's recommendation to award to Superior Uniform Group, Inc. (Superior) was posted with the Clerk of the Board.

On October 18, 2006, Department of Procurement Management (DPM) staff met with representative of Monica Manufacturing d/b/a All Uniform Wear to review the procurement process. On October 20, 2006, a bid protest was filed by this firm, which was based on five arguments:

- Martin & Superior are the same company which manufacture and distribute their own products. Therefore products numbers or samples can not be obtained.
- $20,000 below awarded bid when bid was opened.
- Preference for SBE (Small Business Enterprises)
- Fabric from Mills was discounted and was not updated in several bid specs. Should have been notified by Martins-Superior.
- Every other item was approved.

A pre-protest briefing was held with Monica Manufacturing d/b/a All Uniform Wear and DPM staff on November 2, 2006. A Hearing Examiner heard the protest on November 14, 2006 and findings were received on December 7, 2006. The Hearing Examiner's findings upheld the County Manager's recommendation to award to Superior Uniform Group, Inc., and included a recommendation that the bid protest filed by Monica Manufacturing d/b/a All Uniform Wear be denied.

Although the Hearing Examiner found that Monica Manufacturing d/b/a All Uniform Wear failed to submit the samples pursuant to the specifications and therefore did not respond completely to the bid, staff continued to reassess the sample requirements. As a result of this assessment, it has been determined that it is not in the best interest of the County to award this solicitation. The requirements for the request and submittal of samples will be revised to enhance competition among all qualified firms.

Staff is reviewing modifications to these requirements and will forward a revised solicitation for the County Manager's approval. Therefore it is recommended that all bids be rejected and the solicitation be re-advertised with revised sample requirements. Staff will also develop a comprehensive policy for the request and acceptance of samples in general that will simplify this process and enhance competition.

Assistant County Manager

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) reject all bids received for the referenced contract to purchase uniforms and accessories for Miami-Dade Transit and other County departments.

Contract No: 1178-2/09

Contract Title: **Uniforms and Accessories for Miami Dade Transit**

Description: To establish a replacement contract to supply uniforms and accessories to Miami-Dade Transit and other County departments

Term: One year, with 2, 1-year options to renew

Contract Amount: $827,000 for the initial one-year term

Using/Managing Agencies and Funding Sources:

Department	Allocation	Funding Source
Aviation	$ 20,000	Operating Revenue
Building	$ 20,000	Operating Revenue
Corrections and Rehabilitation	$ 37,000	General
Miami-Dade Transit	$700,000	Operating and PTP
Parks	$ 25,000	General
Solid Waste	$ 25,000	Operating Revenue

Previous Contract Allocation: $424,000 for six months

Method of Award: To the responsive, responsible bidder who offers the lowest price when all items are added in the aggregate

Vendors:	**Address**	**Principal**
• All Bids are being rejected	Not applicable	Not applicable

Contract Measure: Small Business Enterprise (SBE) 10% bid preference was applicable

Review Committee Date: February 1, 2006; Item #6-03

Local Preference: Applied in accordance with the Local Preference Ordinance.

Living Wage: The Living Wage Ordinance does not apply.

User Access Program (UAP):	This contract includes the User Access Program (UAP) provision.
Contract Managers:	Drakus Wiggins, Department of Procurement Management This contract includes allocations for six departments. Each department has designated a Contract Manager.
Contract Effective Date:	After approval by the Board of County Commissioners and expiration of the ten day mayoral veto period.

COMMENTS

This solicitation was advertised on April 18, 2006. Three proposals were received from:

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MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: March 20, 2007

FROM: Murray A. Greenberg County Attorney

SUBJECT: Substitute Agenda Item No. 8(O)(1)(A)

Please note any items checked.

____	**"4-Day Rule" ("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**
✓	**Bid waiver requiring County Manager's written recommendation**
____	**Ordinance creating a new board requires detailed County Manager's report for public hearing**
____	**Housekeeping item (no policy decision required)**
✓	**No committee review**