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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

# Memorandum

MIAMI-DADE COUNTY

**Date:** October 5, 2010

**To:** Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

**From:** Carlos Alvarez
Mayor

George M. Burgess
County Manager

Agenda Item No.8(O)(1)(C)

Resolution No. R-984-10

**Subject:** Recommendation for Waiver of Competitive Bidding Procedures

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**Recommendation**

It is recommended that the Board of County Commissioners waive competitive bidding procedures for the attached contracts to purchase goods and services pursuant to Section 2-8.1 of the County Code and Section 5.03(D) of the Home Rule Charter, in the best interest of Miami-Dade County. ***Contract amounts and department allocations represent the maximum spending authority based on utilization. This action does not guarantee that the total contract amount/value will be expended by County departments and/or agencies.***

**Scope**

The impact of the items in the accompanying Bid Waiver Package is countywide in nature.

**Fiscal Impact/Funding Source**

***Funding will be expended only if departmental budgets can support the expenditures approved in the Resource Allocation Plan adopted annually by the Board.*** There is no additional fiscal impact beyond what is stated on the individual items in this package. Allocations have been rounded consistent with standard auditing practices.

**Track Record/Monitor**

There are no known performance issues with the vendors recommended for award in the accompany Bid Waiver Package. Each department's contract manager is reflected in the accompanying Bid Waiver agenda item.

**Delegated Authority**

If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise, in their discretion, subsequent options-to-renew (OTR) and extend contracts for purchase of goods and services in accordance with the terms and conditions of the contracts listed in the accompanying Bid Waiver Package.

**Background**

**Section 1 BID WAIVERS**

A bid wavier is a purchase of a good or service under Administrative Order 3-38 without formal competitive bidding when it is determined to be in the best interest of the County.

There are no items for this section.

**Section 2 SOLE SOURCES**

A sole source purchase is the procurement of a good or service under Administrative Order 3-38 for which there is no other vendor who can compete to provide the good or service, and an equal product or service is not available from any other supplier.

**Item 2.1: Airfield Lighting System Upgrade** is for waiver of formal bid procedures to purchase Airfield Lighting System upgrade and maintenance services for the Miami-Dade Aviation Department. The amount being requested is **$1,726,000**. If the County chooses to exercise the five, one-year OTRs, the total contract value will be **$2,555,000**.

**Section 3 EMERGENCY PURCHASES**

An emergency purchase is an unforeseen or unanticipated urgent and immediate need for goods or services where the protection of life, health, safety or welfare of the community, or the preservation of public properties would not be possible using other purchasing methods described in Administrative Order 3-38.

**Item 3.1: Uniforms and Accessories for Miami-Dade Transit** is to waive formal bid procedures and ratify an emergency contract award for purchase of uniforms for the Miami-Dade Transit Department. The amount being requested is **$150,000**. If the County chooses to exercise the one, six-month OTR, the total contract value will be **$300,000**.

**Section 4 NON-COMPETITIVE CONTRACT MODIFICATIONS**

A non-competitive contract modification is a supplemental allocation for goods or services that exceed the scope of the original contract allocation, or a modification of an established non-competitive contract, representing a waiver of the competitive bidding process under Administrative Order 3-38.

There are no items for this section.

**Section 5 CONFIRMATION (UNAUTHORIZED) PURCHASES**

A confirmation purchase is a ratification action approving an unauthorized purchase in accordance with Administrative Order 3-38.

**Item 5.1: Food Catering Services** is to ratify a confirmation purchase for meals for the Department of Human Services elderly program provided by Construction Catering, Inc. The amount being requested is **$113,000**.

**Item 5.2: Emergency Barricades for Dadeland North Parking Garage** is to ratify a confirmation purchase of unauthorized barricade rental for the Miami-Dade Transit's Dadeland Metrorail Station parking lot provided by All American Rental. The amount being requested is **$74,000**.

Assistant County Manager

# MEMORANDUM
(Revised)

**TO:** Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

**DATE:** October 5, 2010

**FROM:** R. A. Cuevas, Jr. County Attorney

**SUBJECT:** Agenda Item No. 8(O)(1)(C)

**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 Manager'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**

4

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(O)(1)(C)
10-5-10

RESOLUTION NO. R-984-10

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES FOR THE PURCHASE OF GOODS AND SERVICES, AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO AWARD SAME, WITH AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER, AND AUTHORIZES THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS

**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 this Board waives formal bid procedures for the purchase of goods and services and authorizes the County Mayor or County Mayor's designee to award such contracts, with authority to exercise options-to-renew established thereunder, pursuant to Section 5.03(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, and authorizes the use of Charter County Transportation Surtax Funds.

The foregoing resolution was offered by Commissioner **Joe A. Martinez** , who moved its adoption. The motion was seconded by Commissioner **Dennis C. Moss** and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman **absent**

| | | | |
|---|---|---|---|
| Bruno A. Barreiro | **aye** | Audrey M. Edmonson | **aye** |
| Carlos A. Gimenez | **aye** | Sally A. Heyman | **nay** |
| Barbara J. Jordan | **aye** | Joe A. Martinez | **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 5th day of October, 2010. 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, and (2) either i) the Citizens' Independent Transportation Trust (CITT) has approved same, or ii) in response to the CITT's disapproval, the County Commission re-affirms its award by two-thirds (2/3) vote of the Commission's membership and such reaffirmation becomes final.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. HB/

Hugo Benitez

## SECTION 2
## SOLE SOURCES

**Item 2.1**

**Contract No.:** SS9064-10/24

**Contract Title:** **Airfield Lighting System Upgrade**

**Description:** Requesting waiver of formal bid procedures and approval to award a contract for the Miami-Dade Aviation Department to purchase Airfield Lighting System upgrades and maintenance services.

**Contract Term:** Five years with five, one-year options-to-renew

**Previous Contract Allocation:** Not Applicable

**Contract Amount:** $1,726,000*

*If the County chooses to exercise the five, one-year options-to-renew, the total contract value will be $2,555,000

**Using/Managing Department and Funding Source:**

| Departments | Allocation | Funding Source | Contract Manager |
|---|---|---|---|
| Aviation | $1,726,000 | Proprietary Funds | Carlos Tellez |
| **Total:** | **$1,726,000** | | |

| Vendor: | Address | Principal |
|---|---|---|
| ADB Airfield Solutions<br>(Non-local vendor) | 977 Gahanna Parkway<br>Columbus, OH 43230 | Joe Pokoj |

**Performance Data:** There are no performance issues with the recommended firm.

**Compliance Data:** There are no compliance issues with the recommended firm.

**Contract Measure:** No measure – Sole Source

**Review Committee Date:** March 4, 2009; Item #2-03

**Local Preference:** The Local Preference Ordinance is not applicable.

**Living Wage:** The services being provided are not covered under the Living Wage Ordinance.

**User Access Program:** This contract does not include the 2% User Access Program provision as the services are exempt.

**DPM Contract Manager:** Adil Khan

**JUSTIFICATION**

This contract will provide the Miami-Dade Aviation Department (MDAD) with equipment and professional services to upgrade and maintain the existing Airfield Lighting Control and Monitoring System (ALCMS) at Miami International (MIA), Homestead, and Tamiami Airports. ALCMS is a proprietary legacy system provided by Siemens. An upgrade is now required to ensure safety and security of air traffic operations at the three county-managed airports. ALCMS is a distributed computer based system that allows Federal Aviation Agency (FAA) air traffic controllers to control the intensity of the lights on all taxiways and runways, including directional signage. This allows a seamless and efficient flow of air traffic at the airports.

The ALCMS that is in current use is based on dated technology that has reached the end of its useful life, and is no longer supported by the manufacturer. Due to risks associated with airfield traffic operations, manufacturers of airfield lighting systems will not provide services for another manufacturer's airfield lighting system. Services provided by the original manufacturer help ensure integrity and stability of the airfield lighting operations.

The upgrade of the airfield lighting system will allow MDAD to comply with the latest FAA advisory requirements. Once the system upgrade is completed, all airports operating in the county will need continuous and ongoing maintenance and support to ensure the airfield lighting system is operating safely at all times. This contract will maintain the necessary compatibility of various components of the airfield lighting system and acquire a higher level of safety and service.

## SECTION 3
## EMERGENCY PURCHASES

**Item 3.1**

**Contract No.:** E9375-1/11

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

**Description:** To waive formal bid procedures and ratify an emergency contract award for purchase of uniforms for the Miami-Dade Transit (Transit) Department.

**Contract Term:** July 16, 2010 through October 25, 2010 with one, six-month option-to-renew

**Contract Value:** $150,000*
*If the County chooses to exercise the one, six-month option-to-renew, the total contract value will be $300,000

**Using/Managing Departments and Funding Sources:**

| Department | Allocation | Funding Sources | Contract Manager |
|---|---|---|---|
| Transit | $150,000 | MDT Operating | Daryl Hurston |
| **Total:** | **$150,000** | | |

| Vendor: | Address | Principal |
|---|---|---|
| Monica Manufacturing, Corp. (Local Vendor) | 2605 West 8th Avenue Hialeah, FL 33010 | Nelly De Paz |

**Performance Data:** There are no performance issues with the awarded firm.

**Compliance Data:** There are no compliance issues with the awarded firm.

**Contract Measure:** Small Business Enterprise Set Aside

**Review Committee Date:** July 21, 2010; Item #2-03

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

**Living Wage:** The services being provided are not covered under the Living Wage Ordinance.

**User Access Program:** This contract includes the User Access Program provision. The 2% program discount is being collected on all purchases.

**DPM Contract Manager:** Abelin Rodriguez

## JUSTIFICATION

The Miami-Dade Transit Department (MDT) is seeking ratification of an emergency contract awarded on July 16, 2010 for the purchase of uniforms. This emergency contract will run concurrently with an emergency contract ratified by the Board at the July 20, 2010 meeting and awarded to the same vendor, Monica Manufacturing, Corp.

MDT must provide uniforms for bus and train operators, mechanics, and maintenance workers as required under the collective bargaining agreement with the Transport Workers Union. The first emergency contract was established after the county's contract for MDT employee uniforms was terminated for default in April 2010. It was established as a temporary source for uniforms until a permanent, long-term contract is awarded. Funding allocated to that contract has been completely exhausted due to a backlog of uniform orders.

The new emergency contract provides additional allocation necessary to continue to fulfill orders for employee uniforms, as required by the collective bargaining agreement, until the successor contract is established. The solicitation for the new contract will be advertised in October, and an award recommendation is projected to be presented to the Budget, Planning, and Sustainability Committee in January 2011.

## SECTION 5
## CONFIRMATION (UNAUTHORIZED) PURCHASES

**Item 5.1**

**Contract No.:** CP9351-HS

**Contract Title:** **Food Catering Services**

**Description:** Ratification of a confirmation purchase for meals for the elderly program served by the Department of Human Services Elderly, Disability and Veterans Services Bureau.

**Term:** February 28, 2010 - March 31, 2010

**Contract Amount:** $113,000

**Using/Managing Department and Funding Source:**

| Department: | Purchase Amount | Funding Source | Contract Manager |
|---|---|---|---|
| Human Services | $113,000 | Federal Funds | Kyra H. King |
| **Total:** | **$113,000** | | |

| Vendor: | Address | Principal |
|---|---|---|
| Construction Catering, Inc. (Local vendor) | 2472 NW 21st Terrace Miami, FL 33142 | Gustave Estanfil |

**Performance Data:** There are no performance issues with the awarded firm.

**Compliance Data:** There are no compliance issues with the awarded firm.

**Contract Measure:** Not applicable

**Review Committee Date:** Not applicable

**Local Preference:** Applied in accordance with the Ordinance where permitted by funding source.

**Living Wage:** The services being provided are not covered under the Living Wage Ordinance.

**User Access Program:** This contract includes the User Access Program provision. The 2% program discount is being collected on all purchases.

**DPM Contract Manager:** Lourdes Farley

## JUSTIFICATION

The Department of Human Services (DHS) requests approval to pay invoices in the amount of $111,000 for the unauthorized purchase of meals provided by Construction Catering, Inc. for the elderly program managed by DHS's Elderly, Disability and Veterans Services Bureau. The meals were provided from February 28, 2010 through March 31, 2010. Staff inadvertently paid for services provided during the previous contract term with the current contract term allocation, leaving insufficient funds to pay for services provided during the current term.

DHS operates 24 meals sites throughout Miami-Dade County and serves 800 elderly, low-income clients per year.

A memorandum from the DHS Director explaining the events leading to this confirmation purchase, along with the actions taken by staff to avoid similar situations in the future, is included with this package.

# Memorandum

MIAMI-DADE COUNTY

**Date:** July 1, 2010

**To:** Carmen M. Morrina, Assistant Director
Richard W. Harris, Division Director
Department of Human Services

**From:** Phyllis Tynes-Saunders, Director
Department of Human Services

**Subject:** Confirmation Payment (2365-4/09-4)

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The purpose of this memorandum is to reiterate the departmental responsibilities relating to the administration of the Master Procurement Administrative Order number 3-38. This Administrative Order governs the County's processes for the purchase of goods and services. It establishes not only the roles and responsibilities of the Department of Procurement Management (DPM) and the individual County departments, but also the methods of purchases goods and services, and the authority to award contracts. Any departure from this A.O., the County code or the Procurement guidelines is considered to be a confirmation purchase.

A confirmation purchase is a ratification action that approves an unauthorized purchase. As noted in A.O. 3-38, an unauthorized purchase is a purchase or commitment by an employee that does not have the authority to do so, or a purchase or commitment of funds by an authorized employee, but not in accordance with the County legislation or the procedures prescribed by A.O. 3-38. The A.O. establishes that the payment for any unauthorized purchase may be deemed the responsibility of the employee that made the purchase or commitment, and shall subject said employee to disciplinary action up to and including termination. What this means is that the employee who made the commitment of the funds for the unauthorized purchase can be made responsible for paying the bill out of their own pocket.

The Board of County Commissioners is required to approve all confirmation purchases for commitment exceeding $100,000. Also, all confirmation purchases regardless of value require that the Department Director respond to the County Manager, in writing, with a justification to include the disciplinary action taken, if appropriate, and the corrective action(s) implement to prevent recurrence.

The Department of Human Services (DHS), Elderly, Disability and Veterans Services Bureau (EDVSB) provide congregate meals to more than 800 elderly per year. The Department manages the operation of 24 meals sites throughout Miami-Dade County. Services are provided to clients that are 60 years of age or older in greatest social and economical need, especially low-income minority's who are living in isolated geographic areas. DHS is projected to provide a total of 241,192 congregate meals and provide 94,436 boxed lunches. The confirmation was needed to ensure continuity of services with the receipt of ARRA and Alliance for Aging Meal funding for former JESCA meal sites.

These services were provided from February 28, 2010 to March 31, 2010 and the invoices for services provided under the contract were inadvertently paid for by staff under the current contract term. As a result there was a technical violation; the Department was unable to process the outstanding invoices for payment due to insufficient funding authority despite funding availability in the Department's budget for this activity and availability of funding in the contract prior to the purchase of goods and services.

Quarterly, sessions should be conducted with DPM liaisons to properly train staff in order to avoid reoccurrence of these incidents. Please ensure that modifications be developed early on and in line with monthly spending to avoid any unforeseen circumstances. Please ensure that all staff is fully cognizant of the process and the repercussions.

Your usual cooperation is appreciated.

C: Howard H. Piper, Special Assistant to the County Manager
Miriam Singer, DPM Director

# Memorandum

MIAMI-DADE COUNTY

**Date:** June 7, 2010

**To:** Miriam Singer, Director
Department of Procurement Management

**From:** Phyllis Tynes-Saunders, Director
Department of Human Services

**Subject:** Confirmation payment for Construction Catering

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Pursuant to your request, attached is the confirmation payment request for contract 2365-4/09-4 in the amount of $110,942 for Construction Catering, Inc. Invoices for this confirmation covers the period of February 28, 2010 thru March 31, 2010 for congregate meals served by DHS's Elderly, Disability and Veterans Services Bureau for meals for the elderly.

Should you have any questions, please contact Kyra H. King at (305) 514-6068.

Attachments

# Memorandum

MIAMI-DADE COUNTY

**Date:** July 1, 2010

**To:** Miriam Singer, Director
Department of Procurement Management

**From:** Phyllis Tynes-Saunders, Director
Department of Human Services

**Subject:** Confirmation Payment (2365-4/09-4)

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As a follow-up to the package, originally submitted on June 7, 2010 and refined on June 15, 2010, requesting a confirmation payment for contract 2365-4/09-4 in the amount of $110,942 for Construction Catering, Inc. this is to reiterate that the Department of Human Services is requesting payment for the outstanding invoices under contract 2365-4/09-4. This contract provides nutritional meals to the elderly throughout Miami-Dade County assigned meals site. These services were provided from February 28, 2010 to March 31, 2010 and the invoices for services provided under the contract were inadvertently paid for by staff under the current contract term. As a result, the Department is unable to process the outstanding invoices for payment due to insufficient funds.

The Department of Human Services (DHS), Elderly, Disability and Veterans Services Bureau (EDVSB) provide congregate meals to more than 800 elderly per year. The Department manages the operation of 24 meals sites throughout Miami-Dade County. Services are provided to clients that are 60 years of age or older in greatest social and economical need, especially low-income minority's who are living in isolated geographic areas. DHS is projected to provide a total of 241,192 congregate meals and provide 94,436 boxed lunches. This confirmation is needed to ensure continuity of services with the receipt of ARRA and Alliance for Aging Meal funding for former JESCA meal sites.

The Department liaisons met with DPM liaisons to properly train staff to avoid circumstances as such. Modifications will be developed early in line with monthly spending to avoid any unforeseen circumstances.

**Item 5.2**

**Contract No.:** CP9362-MT

**Contract Title:** **Emergency Barricades for Dadeland North Parking Garage**

**Description:** Ratification of a confirmation purchase for unauthorized barricade rental for the Miami-Dade Transit's Dadeland North Metrorail Parking Garage.

**Term:** March 1, 2010 - June 16, 2010

**Contract Amount:** $74,000

**Using/Managing Department and Funding Source:**

| Department: | Purchase Amount | Funding Source | Contract Manager |
|---|---|---|---|
| Transit | $74,000 | MDT Operating | Steve Chayt |
| **Total:** | **$74,000** | | |

| Vendor: | Address | Principal |
|---|---|---|
| All American Barricades Corp. (Local vendor) | 3355 NW 154th Terrace<br>Miami Gardens, FL 33054 | Ruben G. Santos |

**Performance Data:** There are no performance issues with the awarded firm.

**Compliance Data:** There are no compliance issues with the awarded firm.

**Contract Measure:** Not applicable

**Review Committee Date:** Not applicable

**Local Preference:** Applied in accordance with the Ordinance where permitted by funding source.

**Living Wage:** The services being provided are not covered under the Living Wage Ordinance.

**User Access Program:** This contract includes the User Access Program provision. The 2% program discount is being collected on all purchases.

**DPM Contract Manager:** Lourdes Farley

## JUSTIFICATION

The Miami-Dade Transit Department (MDT) requests approval to pay invoices in the amount of $74,000 for the unauthorized rental of barricades provided by All American Barricades Corp. Rental of the barricades was provided from March 1, 2010 through June 16, 2010.

On February 26, 2010, the parking facility at the Dadeland Metrorail Station was cited with a code violation by the Miami-Dade County Building Department. The citation was issued due to broken cables that serve as vehicle barriers in the parking areas. The violation mandated installation of temporary barriers within five days. In order to meet this mandate, MDT rented barricades to ensure immediate compliance. Contract 1176-4/12-2 Barricades and Traffic Control Accessories, Rental was utilized to address the safety concerns. There was insufficient contract allocation available to cover the cost of the barricades.

A memorandum from the MDT Director explaining the events leading to this confirmation purchase, along with the actions taken by staff to avoid similar situations in the future, is included with this package.

MIAMI-DADE COUNTY

# Memorandum

Date: August 31, 2010

To: Steve Chayt
Chief Facilities Maintenance

From: Harpal S. Kapoor
Director

Subject: Confirmation Purchases

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The purpose of this memorandum is to reiterate the departmental responsibilities relating to the administration of the Master Procurement Administrative Order number 3-38. This Administrative Order governs the County's processes for the purchase of goods and services. It establishes not only the roles and responsibilities of the Department of Procurement Management (DPM) and the individual County departments, but also the methods of purchasing goods and services, and the authority to award contracts. Any departure from this A.O., the County code or the Procurement guidelines is considered to be a confirmation purchase.

A confirmation purchases is a ratification action that approves an unauthorized purchase. As noted in A.O. 3-38, an unauthorized purchase is a purchase or commitment by an employee that does not have the authority to do so, or a purchase or commitment of funds by an authorized employee, but not in accordance with the County legislation or the procedures prescribed by A.O. 3-38. The A.O. establishes that the payment for any unauthorized purchase may be deemed the responsibility of the employee that made the purchase or commitment, and shall subject said employee to disciplinary action up to and including termination. What this means is that the employee who made the commitment of the funds for the unauthorized purchase can be made responsible for paying the bill out of their own pocket.

The Board of County Commissioners is required to approve all confirmation purchases for commitment exceeding $100,000.00. Also, all confirmation purchases regardless of value require that the Department Director respond to the County Manager, in writing, with a justification to include the disciplinary action taken, if appropriate, and the corrective action(s) implemented to prevent recurrence.

While I understand that you acted immediately to protect the safety of our customers due to the broken safety barriers at the Dadeland North parking garage, you technically violated County rules. You should have contacted MDT Material Management within 5 days after ordering the barricades to ensure that we have sufficient allocation on the contract. In this case, since we did not, we should have declared an emergency. Please ensure that you comply with the recent training you received from the County Department of Procurement Management (DPM) regarding procurement procedures. This specific procurement was openly discussed in the class during the session on Unauthorized Purchases. I expect you to always put safety first; however follow up is needed to ensure we comply with the procurement rules.

cc: Hugh W. Chen, P.E.
Robert McClellan
Juan Garcia

# Memorandum

MIAMI-DADE COUNTY

**DATE:** July 6, 2010

**TO:** Miriam Singer, Director
Department of Procurement Management

**FROM:** Harpal Kapoor, Director
Miami-Dade Transit Department

**SUBJECT:** Confirmation (Unauthorized) Purchase from All American Barricades Corp. – Requisition No. RQMT1000045 – Emergency Barricades located at Dadeland North Metrorail Parking Garage.

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We are in receipt of your memorandum of June 28, 2010 regarding an unauthorized purchase made by Miami-Dade Transit for the rental of barricades for the Dadeland North Metrorail Parking Garage from All American Barricades Corp. for the period of March 1, 2010 to June 16, 2010 in the amount of $73,911.84 (see attached chronology).

This purchase was made in response to an emergency condition at the parking garage at the Dadeland North Metrorail Station. The barricades quote was received by the end user, MDT's Facilities Maintenance Division, and the order was placed to be in compliance with a citation issued by the Miami-Dade Building Department for failure to maintain the structure in a safe condition.

The formal citation from the Building and Neighborhood Compliance Department was received on February 26, 2010 for a violation of the Florida Building Code: "Failure to maintain a building or structure or devices in safe condition. Due to broken cables which are part of the Vehicle Barrier as required by the FBC section 406.2.4"

The order was placed on February 25, 2010, under Contract #1176-4/12-2, which at the time had an allocation of $5,302.62. After the first set of barricades were installed to secure the open end of the parking garage, it was determined that additional barricades were needed to satisfy Florida Building Code Section 406.2.4 relative to the issued citation. The placement of the additional units was to ensure the safety of our patrons and employees. Additionally, a Structural Engineering consultant firm was hired on April 6th, 2010 to inspect and develop repair specifications in order to address the long term repairs to this facility.

This request is to facilitate the payment of invoices to vendor All American Barricades for their prompt response to secure the parking garage and ensure safety for our patrons and staff that utilize the facility. MDT is working closely with the Building Department to make the necessary repairs in order to be compliant relative to the issued citation and to procure the purchase of barricades in order to have them on hand to immediately secure hazardous areas as required.

Should you have any questions, please contact me at 786.469.5410. Thanks for your usual cooperation on this matter.

c: Ysela Llort, Assistant County Manager

**Chronology**
**(Emergency Barricade Rental)**
**Contract CP9362-MT**

| Date | Activity | Amount |
|---|---|---|
| | | |
| 02-25-10 | Initial Barricade order placed to secure Dadeland Parking Garage. Order was made by MDT to cover the rental period 02/25/10 – 02/28/10 | $ 1,728.60 |
| 02-26-10 | Transit was cited for performing work without a permit by Charlie Danger of the Building Compliance Department | |
| 03-01-10 | Additional Barricades order place to secure Dadeland Parking Garage after Building Compliance citation. The order was place by MDT to cover the rental period 03/04/10 – 03/31/10 | $24,045.60 |
| 03-12-10 | Requisition #160666 was submitted for structural engineering consultant services for the inspection and development of the repair specifications. | |
| 03-23-10 | OCI provided three different consultants that could perform the work. 3-25-10 OCI was notified of the selection of RC Group LLC., after performing interview and site inspections. | |
| 03-29-10 | RC Group LLC., submitted proposal for the inspection and development of the repair specifications | |
| 04-01-10 | Barricades order placed by MDT to cover the rental period 04/01/10 – 04/30/10 (Continuation of previous rental) | $19,814.70 |
| 04-06-10 | Issued Notice to Proceed to RC Group LLC., for the inspection and development of the repair specifications to the vehicle containment barriers for contract. | |
| 04-29-10 | Issued Change Order to RC Group LLC., for additional design services of failed clamp supports. | |
| 05-01-10 | Barricades order placed by MDT to cover the rental period 05/01/10 – 05/31/10 (Continuation of previous rental) | $20,474.88 |
| 06-01-10 | Barricades order placed by MDT to cover the rental period 06/01/10 – 06/30/10 (Continuation of previous rental) | $10,567.68 |

| Date | Activity | Amount |
|---|---|---|
| 06-18-10 | Confirming Bid Waiver Document signed by the Deputy Director Mr. Hugh W. Chen (Director Kapoor was out of office) and routed to DPM for processing | |
| 06-30-10 | Contract CP9362-MT processed to facilitate payment to vendor | |
| 07-01-10 | DPM completed its action relative to processing the payment of the vendor. Purchase order APMT1000003 in the amount of $73,911.84 generated to pay the vendor. | **$73,911.84 (Total)** |
| 07-07-10 | RC Group LLC. submitted specification and drawings to Miami-Dade Building Department for permit dry-run. | |