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

Memorandum

MIAMI-DADE COUNTY

Date: October 19, 2010

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

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

From: Carlos Alvarez
Mayor

Resolution No. R-1049-10

George M. Burgess
County Manager

Subject: Resolution Requesting Authority to Exercise Option-to-Renew Periods Under Existing Non-Competitive Contracts

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Recommendation

It is recommended that the Board of County Commissioners delegate to the County Mayor or County Mayor's designee the authority to exercise, in his discretion, the Options-to-Renew (OTRs) set forth in this item. Ordinance #07-139 provides for committee review exemption. ***Contract amounts and/or department allocations represent the maximum spending authority based on estimated past usage. 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 OTR package is countywide in nature.

Fiscal Impact/Funding Source

Funding will be expended only if departmental budgets can support the expenditures as approved in their 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 accompanying OTR package. The departments' contract manager is reflected in the accompanying agenda item.

Delegated Authority

If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise OTRs in accordance with the terms and conditions of the contracts listed in the accompanying package.

Background

The non-competitive contracts listed in this item require approval to exercise OTRs contained in each contract that would, if exercised, bring the cumulative value of the contract over $100,000. Each of the contracts were awarded under the County Mayor or County Mayor's designee's delegated authority ($100,000 for non-competitive procurements) pursuant to Section 2-8.1(b)

of the County Code and the Master Procurement Administrative Order, A.O. 3-38. The second OTR for Item 2 was approved by the Board via Resolution R-1308-09, and the initial contract term for Item 3 was approved by the Board via Resolution R-1366-09.

Prior to exercising any Options-to-Renew (OTR) periods, market research is conducted to ensure continuing to purchase from the awarded vendors is in the best interest of the County. Market research includes competitive factors such as pricing, quality, product features, technology, and lead time. It may also include commercial factors such as environmental issues, other governmental entity practices, industry trends, support and capabilities. The OTRs for each contract in this package will be executed if determined to be in the best interest of the County.

Item No. 1: E-Net Software Maintenance and Support Services seeks authority to exercise the second OTR period for maintenance and support services for the E-Net Software used by the Enterprise Technology Services Department. The amount being requested for the second option term is **$31,000**.

Item No. 2: Levi Ray & Shoup Software Maintenance & Support Services seeks authority to exercise the third OTR period for maintenance and support services for the Levi, Ray & Shoup software used by the Enterprise Technology Services Department. The amount being requested for the third option term is **$45,000**.

Assistant County Manager

MEMORANDUM
(Revised)

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

DATE: October 19, 2010

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

SUBJECT: Agenda Item No. 8(O)(1)(D)

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**

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Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(O)(1)(D)
10-19-10

RESOLUTION NO. R-1049-10

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR CERTAIN NON-COMPETITIVE CONTRACTS DESCRIBED IN THE ITEM, SUBJECT TO THE MONETARY LIMITATIONS SET FORTH THEREIN, AWARDED UNDER THE COUNTY MAYOR OR THE COUNTY MAYOR DESIGNEE'S DELEGATED AUTHORITY FOR THE PURCHASE OF GOODS AND SERVICES

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 delegates to the County Mayor or County Mayor's designee the authority to exercise, in his discretion, the options-to-renew set forth in this item when in the best interest of Miami-Dade County; and the Board further authorizes the County Mayor or the County Mayor's designee to execute any and all documents necessary to give effect to those renewals.

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

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

Bruno A. Barreiro	absent	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	absent
Barbara J. Jordan	aye	Joe A. Martinez	aye
Dorrin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

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The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of October, 2010. 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: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Hugo Benitez

Item 1

Contract No.: SS7204-5/16-1

Contract Title: **E-Net Software Maintenance and Support Services**

Description: It is recommended that the Board authorize the County Mayor or County Mayor's designee to exercise the second Option-to-Renew (OTR) to procure maintenance and support services for the E-Net Software used by the Enterprise Technology Services Department (ETSD). This software tool automatically replicates the Criminal Justice Information System and Traffic System databases for disaster recovery. The contract is in its first OTR period which expires December 31, 2010. The contract has four, one-year OTRs remaining. Exercising the second OTR will bring the cumulative value of the contract to $116,000.

Initial Contract Term and Usage:	January 1, 2008 to December 31, 2009	$ 55,000
First OTR and Usage:	January 1, 2010 to December 31, 2010	$ 30,000
Second OTR and Estimated Usage:	January 1, 2011 to December 31, 2011	$ 31,000
Cumulative Value:		**$116,000**

Using/Managing Department and Funding Source:

Department	**Allocation**	**Funding Source**	**Contract Manager**
Enterprise Technology Services	$31,000	Internal Service Funds	Mirta L. Cordoso
Total:	**$31,000**		

Vendor:	**Address**	**Principal**
E-Net Corporation (Non-local Vendor)	300 Valley Street Sausalito, CA 94965	James De Remer

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

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

Contract Measure: No Measure-Sole Source

Review Committee Date: September 12, 2007; Item #2-01

Local Preference: Not applicable-Sole 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: Beth Goldsmith

JUSTIFICATION

This contract allows the Enterprise Technology Services Department (ETSD) to purchase maintenance and support services for the E-Net software provided by E-Net Corporation. The E-Net Software (Software) is used by ETSD to ensure data integrity. It automatically replicates the Criminal Justice Information System and the Traffic System databases to ensure the most current data is always available should a disaster recovery process need to be completed. The software runs simultaneously with the applications and does not require any modification or custom interface in order create the data backup.

Maintenance and support services are necessary in order to guarantee that data redundancy is available for mission critical applications. E-net Corporation is the proprietary owner and developer of the software. No other vendor is able to provide required maintenance and support services. It is therefore in the best interest of the County to exercise the second option-to-renew in order to provide continuity of services for these vital applications.

Item 2

Contract No.: BW7220-4/12-2

Contract Title: **Levi Ray & Shoup Software Maintenance & Support Services**

Description: It is recommended that the Board authorize the County Mayor or the County Mayor's designee to exercise the third Option-To-Renew (OTR) period to procure maintenance and support services for the Levi, Ray and Shoup software used by the Enterprise Technology Services Department. The contract is in its second OTR period which was approved by the Board on November 17, 2009 (R-1308-09) and expires November 25, 2010. The contract has two, one-year OTRs remaining. Exercising the third OTR will bring the cumulative value of the contract to $250,000.

Initial Contract Term and Usage:	November 26, 2007 through November 25, 2008	$ 80,000
First OTR and Usage:	November 26, 2008 through November 25, 2009	$ 80,000
Second OTR and Usage:	November 26, 2009 through November 25, 2010	$ 45,000*
Third OTR and Estimated Usage:	November 26, 2010 through November 25, 2011	$ 45,000*
Cumulative Value:		**$250,000**

**Note: The option-to-renew term values were reduced based on a negotiated amendment from a site license to usage-based license, revising the annual fees charged to the County.*

Using/Managing Department and Funding Source:

Department	**Allocation**	**Funding Source**	**Contract Manager**
Enterprise Technology Services	$ 45,000	Internal Service Funds	Mirta Lopez Cardoso
Total:	**$ 45,000**		

Vendor:	**Address**	**Principal**
Levi, Ray & Shoup, Inc. (Non-local Vendor)	2401 West Monroe Springfield, IL 62704	Richard H. Levy

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

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

Contract Measure: No Measure – Bid Waiver

Review Committee Date: Item #2-01, June 20, 2007

Local Preference: Not Applicable

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

User Access Program: The User Access Program provision will apply. The 2% program discount is being collected on all purchases.

DPM Contract Manager: Margaret Brown

JUSTIFICATION

This contract is utilized by the Enterprise Technology Services Department (ETSD) for software maintenance and technical support services for the Levi, Ray and Shoup (LRS) software. The LRS software is used by ETSD to streamline printing in the mainframe computer environment by efficiently routing data to the most appropriate printer or output device. Additionally, the LRS software enhances the mainframe printing system by providing a management tool, allowing enhanced monitoring of print jobs, and facilitating correction of printing problems. All of the County's mainframe applications rely on this software to print jobs at remote locations throughout the County.

LRS is the proprietary owner and developer of the software. No other vendor is capable of providing the required maintenance and support services. It is therefore in the best interest of the County to exercise the third OTR period to ensure continuity of services.