

Date: October 18, 2011

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

Agenda Item No. 8(F)(2)

From: Carlos A. Gimenez
Mayor

Resolution No. R-921-11

Subject: Resolution Requesting Authority to Exercise Option-to-Renew Periods Under Existing Competitively Bid Contracts that Would Bring the Cumulative Contract Value to More than \$1 Million

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 their discretion, the Options-to-Renew (OTRs) set forth in this item. Ordinance #07-139 provides for committee review exemption. ***Contract amounts and 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 item 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 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 agenda item. The departments' contract managers are 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 competitively bid contracts listed in this item requires approval to exercise OTRs contained in the contracts that would, if exercised, bring the cumulative value of the contracts over \$1 million. These contracts were awarded under the County Mayor or County Mayor's designee's delegated authority (\$1 million for competitive procurements) pursuant to Section 2-8.1(b) of the County Code and the Master Procurement Administrative Order, A.O. 3-38.

The contracts in this package were awarded prior to the effective date of Ordinance 09-52 which requires obtaining Board authorization to award contracts where the renewal options would bring

the cumulative value of the contract above \$1 million.

Prior to exercising any Options-to-Renew (OTR) periods, market research is conducted to ensure that 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: Specialized Flat Tire Repair Services seeks authority to exercise the two remaining OTR terms to purchase specialized tire repair services for various County departments. The amount being requested for the remaining option terms is **\$478,000**.

Item No. 2: Financial Advisory Services for the General Segment seeks authority to exercise the remaining OTR term for financial advisory services. The amount being requested for the remaining option term is **\$567,000**.

Item No. 3: Financial Advisory Services for the Enterprise Segment seeks authority to exercise the remaining OTR term for financial advisory services. The amount being requested for the remaining option term is **\$567,000**.

Item No. 4: Landscaping and Lawn Maintenance Services seeks authority to exercise the remaining OTR term to purchase landscaping and lawn maintenance services for Internal Services and the Port of Miami. The amount being requested for the remaining option term is **\$209,000**.

Item No. 5: Towing Services (County) seeks authority to exercise the three remaining OTR terms for towing services for various County Departments. The amount being requested for the remaining option terms is **\$2,187,000**.



Deputy Mayor

Item 1

Contract No.: 4935-4/13-2

Contract Title: **Specialized Flat Tire Repair Services**

Description: It is recommended that the Board authorize the County Mayor or the County Mayor's designee to exercise the two remaining Option-to-Renew (OTR) periods for specialized flat tire repair services for various County departments. The contract has two, one-year OTRs remaining. Exercising the remaining OTR terms will bring the cumulative value of the contract to \$1,327,000.

Initial Contract Term and

| | | |
|---|--------------------------------------|---------------------|
| Estimated Allocation: | November 6, 2008 to October 31, 2009 | \$ 283,000 |
| First OTR and Allocation: | November 1, 2009 to October 31, 2010 | \$ 283,000 |
| Second OTR and Estimated Allocation: | November 1, 2010 to October 31, 2011 | \$ 283,000 |
| Third OTR and Estimated Usage: | November 1, 2011 to October 31, 2012 | \$ 239,000* |
| Fourth OTR and Estimated Usage: | November 1, 2012 to October 31, 2013 | <u>\$ 239,000*</u> |
| Cumulative Value: | | \$ 1,327,000 |

*The allocation for MDT is not included and will be processed separately in order to secure CITT approval.

JUSTIFICATION

This contract is for purchase of specialized tire repair services performed at County facilities, and for road service. Services are provided for County-owned cars, trucks, vans, utility vehicles, golf carts, off-road equipment, buses, and mover vehicles.

Staff conducted market research to evaluate industry prices, other agency contract prices, and changes in the Consumer Price Index. Results indicate the County's contract pricing remains competitive. It is in the best interest of the County to exercise the two remaining options-to-renew for continuity of services.

Using/Managing Departments and Funding Sources:

| | Total Allocation for Two Remaining | | |
|-------------------------------------|---|------------------------|-------------------------|
| Departments | OTR Terms | Funding Sources | Contract Manager |
| Aviation | \$ 10,000 | Proprietary Funds | Neivy Garcia |
| Fire Rescue | \$ 20,000 | Fire District | Marianela Betancourt |
| Internal Services | \$122,000 | Internal Service Funds | Martin Dareff |
| Park, Recreation and Open Spaces | \$ 80,000 | General Fund | Maria Quinoa |

| | | | |
|-----------------|------------------|-------------------|---------------|
| Port of Miami | \$ 2,000 | Proprietary Funds | Phillip Rose |
| Water and Sewer | \$166,000 | Proprietary Funds | Gregory Hicks |
| Unallocated | <u>\$78,000</u> | | |
| Total: | \$478,000 | | |

| Vendors: | Address | Principal |
|---|---|------------------|
| Central Tire Corp (Local vendor) | 8275 NW 74 Street Miami, FL 33166 | Sergio Leyva |
| Pelar Trading Corporation (Local vendor) | 581 E. 33 rd Street Hialeah, FL 33013 | Danitza Miranda |

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

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

Contract Measure: The Small Business Enterprise Bid Preference was applied in accordance with the Ordinance.

Review Committee Date: March 19, 2008; Item #6-10

Local Preference: Local Preference was applied in accordance with the 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 where permitted by funding source.

Procurement Contracting Officer: J. Carlos Plasencia

Item 2

Contract No.: RFQ90(1)

Contract Title: Financial Advisory Services for the General Segment

Description: It is recommended that the Board authorize the County Mayor or the County Mayor's designee to exercise the final Option-to-Renew (OTR) period to provide financial advisory services for the Finance Department. The first OTR was approved by the Board on November 3, 2009 via Resolution #1275-09. The contract has one, two-year OTR period remaining. Exercising the remaining OTR will bring the cumulative value of the contract to \$2,075,000.

| | | |
|---|--------------------------------------|--------------------|
| Initial Contract Term and Usage: | November 2, 2006 to December 1, 2009 | \$941,000 |
| First OTR and Estimated Usage: | December 2, 2009 to December 1, 2011 | \$567,000 |
| Second OTR and Estimated Usage: | December 2, 2011 to December 1, 2013 | <u>\$567,000</u> |
| Cumulative Value: | | \$2,075,000 |

JUSTIFICATION

This contract provides financial advisory services for the Finance Department. The County has separated its financial advisory services into three segments: General, Aviation, and Enterprise (for the Seaport, Solid Waste, Transit, and Water and Sewer Departments). This contract is for the General Segment. All options-to-renew (OTR) for the Aviation Segment were adopted by the Board in a separate action, on October 8, 2009 via Resolution #1200-09.

Prices are firm and fixed for the contract term and remain competitive. Exercising this OTR will ensure continuity of financial advisory services to provide special obligation debt transactions and services related to the issuance of bonds, notes, certificates or other financing instruments. The firm has met expectations for each transaction assigned. It is therefore in the best interest of the County to exercise the final term.

| Department | Allocation for Remaining OTR | Funding Sources | Contract Manager |
|-------------------|-------------------------------------|---|-------------------------|
| Finance | <u>\$567,000</u> | Bond Proceeds and Bond Administration Funds | Frank Hinton |
| Total: | \$567,000 | | |

| Vendor: | Address | Principal |
|---|--|------------------|
| Public Financial Management, Inc. (Non-local vendor) | Two Logan Square, Suite 1600 Philadelphia, PA 19103 | John F. White |

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

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

Contract Measure: The Small Business Enterprise (SBE) selection factor was applied in accordance with the Ordinance.

Local Preference: The Local Preference was applied in accordance with the 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.

Procurement Contracting Officer: Lydia Osborne

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Item 3

Contract No.: RFQ91(1)

Contract Title: Financial Advisory Services for the Enterprise Segment

Description: It is recommended that the Board authorize the County Mayor or the County Mayor's designee to exercise the final Option-to-Renew (OTR) period to provide financial advisory services for the Finance Department. The first OTR was approved by the Board on November 3, 2009 via Resolution #1275-09. The contract has one, two-year OTR period remaining. Exercising the remaining OTR will bring the cumulative value of the contract to \$1,984,000.

| | | |
|---|--------------------------------------|--------------------|
| Initial Contract Term and Usage: | November 2, 2006 to December 1, 2009 | \$850,000 |
| First OTR and Estimated Usage: | December 2, 2009 to December 1, 2011 | \$567,000 |
| Second OTR and Estimated Usage: | December 2, 2011 to December 1, 2013 | <u>\$567,000</u> |
| Cumulative Value: | | \$1,984,000 |

JUSTIFICATION

This contract provides financial advisory services for the Finance Department. The County has separated its financial advisory services into three segments: Aviation, General, and Enterprise. This contract is for the Enterprise Segment which includes financial services for the Seaport, Solid Waste, Transit, and Water and Sewer Departments. All options-to-renew (OTR) for the Aviation Segment were adopted by the Board on October 8, 2009 via Resolution #1200-09.

Prices are firm and fixed for the contract term and remain competitive. Exercising this OTR will ensure continuity of financial advisory services to provide special obligation debt transactions and services related to the issuance of bonds, notes, certificates or other financing instruments. The firm has met expectations for each transaction assigned. It is therefore in the best interest of the County to exercise the final OTR.

| Department | Allocation for Remaining OTR | Funding Sources | Contract Manager |
|-------------------|-------------------------------------|---|-------------------------|
| Finance | <u>\$567,000</u> | Bond Proceeds and Bond Administration Funds | Frank Hinton |
| Total: | \$567,000 | | |

| Vendor: | Address | Principal |
|---|---|------------------|
| Public Resource Advisory Group, Inc. (Non-local vendor) | 475 Central Avenue Suite 201 St. Petersburg, FL 33701 | Marianne Edmonds |

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

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

Contract Measure: The Small Business Enterprise (SBE) selection factor was applied in accordance with the Ordinance.

Local Preference: The Local Preference was applied in accordance with the 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.

Procurement Contracting Officer: Lydia Osborne

Item 4

Contract No.: 5571-4-/12-3

Contract Title: Landscaping and Lawn Maintenance Services

Description: It is recommended that the Board authorize the County Mayor to exercise the remaining Option-to-Renew (OTR) period to purchase landscaping and lawn maintenance services for General Services Administration and the Seaport Department. The contract is in its third OTR period, which expires on October 31, 2011. The contract has one OTR remaining. Exercising the final OTR will bring the cumulative value of the contract to \$1,133,000.

Initial Contract Term and Usage:

November 1, 2007 to October 31, 2008 \$ 255,000

First OTR and Usage:

November 1, 2008 to October 31, 2009 \$ 274,000

Second OTR and Usage:

November 1, 2009 to October 31, 2010 \$ 189,000

Third OTR and Estimated Usage:

November 1, 2010 to October 31, 2011 \$ 206,000

Fourth OTR and Estimated Usage:

November 1, 2011 to October 31, 2012 \$ 209,000

Cumulative Value:

\$1,133,000

JUSTIFICATION

This contract is used by Internal Services and the Port of Miami for general landscaping services. The services include mowing; tree, palm, hedge and shrub pruning; flower bed care; cleaning of sidewalks; and weed and litter control.

The services provided by the awarded vendors are covered by the Living Wage Ordinance. Vendors will receive the most recent adjustment of 0.88% based on the December 2010 Consumers Price Index (All Urban Consumers – Miami-Ft. Lauderdale). The allocation for the next term has increased to accommodate this adjustment. Vendors are also responsible for providing resources including equipment and fuel. While the price of fuel has increased over 25%, vendors may not request a price adjustment per contract's terms. It is in the best interest of the County to exercise the final option to renew.

Using/Managing Departments and Funding Sources:

| Departments | Allocation | Funding Sources | Contract Managers |
|--------------------|-------------------|------------------------|--------------------------|
| Internal Services | \$167,000 | Internal Service Funds | Lucy Romano |
| Port of Miami | <u>\$ 42,000</u> | Proprietary Funds | Phillip Rose |
| Total: | \$209,000 | | |

| Vendors | Address | Principal |
|---|---|-------------------|
| McFamily Enterprise, Inc. (Local vendor) | 20501 NW 7 th Court Miami Gardens, FL 33169 | Patrick McFarlane |

| | | |
|--|--|---------------|
| Superior Landscaping & Lawn Service, Inc. (Local vendor) | 2200 NW 23 rd Avenue Miami, FL 33142 | Orlando Otero |
|--|--|---------------|

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

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

Contract Measure: Small Business Enterprise Set-Aside

Review Committee Date: June 13, 2007

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

Living Wage: The services being provided are covered under the Living Wage Ordinance.

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

**Procurement Contracting
Officer:** Lina Bonilla

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Item 5

Contract No.: 8736-5/14-2

Contract Title: Towing Services (County Vehicles)

Description: It is recommended that the Board authorize the County Mayor or County Mayor's designee to exercise the remaining Option-to-Renew (OTR) terms to purchase towing services for various County departments. This contract has three, one-year OTRs remaining. Exercising the remaining OTR terms will bring the cumulative value of the contract to \$6,557,000.

Initial Contract Term and

| | | |
|---|--|---------------------|
| Allocation: | December 15, 2008 to November 30, 2009 | \$ 1,466,000 |
| First OTR and Allocation: | December 1, 2009 to December 31, 2010 | \$ 1,436,000 |
| Second OTR and Allocation | January 1, 2011 to December 31, 2011 | \$ 1,438,000 |
| Third OTR and Estimated Allocation: | January 1, 2012 to December 31, 2012 | \$ 739,000 |
| Fourth OTR and Estimated Allocation: | January 1, 2013 to December 31, 2013 | \$ 739,000 |
| Fifth OTR and Estimated Allocation: | January 1, 2014 to December 31, 2014 | <u>\$ 739,000</u> |
| Cumulative Value: | | \$ 6,557,000 |

This contract provides towing services for County-owned vehicles and equipment. The solicitation included services for eight geographical zones, and then subdivided these into groups based on the size and weight of vehicles. Vendors are awarded as primary, secondary, tertiary, and quaternary vendors by zone, and group.

Market research has shown that the County's pricing is competitive when compared to the prices paid by other jurisdictions in the South Florida area. These towing services are needed to ensure safe and smooth transport of County-owned vehicles. It is therefore in the best interest of the County to exercise these options to renew.

Using/Managing Departments and Funding Sources:

| Departments | Total Allocation for Three Remaining OTRs | Funding Sources | Contract Manager |
|-------------------------------------|--|-------------------------------------|-------------------------|
| Aviation | \$ 30,000 | Proprietary Funds | Neivy Garcia |
| Fire Rescue | \$ 96,000 | Fire District | Marianela Betancourt |
| Internal Services | \$ 1,275,000 | Internal Service Funds | Martin Dareff |
| Park, Recreation and Open Spaces | \$ 46,000 | General Fund / Proprietary Funds | Maria Quinoa |
| Police | \$ 150,000 | General Fund | Laura Romano |

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| | | | |
|--|---------------------|-------------------|------------------|
| Public Housing And Community Development | \$ 9,000 | Federal Funds | Arlester Shorter |
| Water and Sewer | \$ 185,000 | Proprietary Funds | Greg Hicks |
| Unallocated | \$ <u>426,000</u> | | |
| Total: | \$ 2,217,000 | | |

| Vendors: | Address | Principal |
|--|--|----------------------|
| Westbrook Motors, Inc. (Local vendor) | 1759 Palm Avenue Hialeah, FL 33010 | Raul Suarez |
| Blanco Towing, Inc. (Local vendor) | 1301 SW 71 st Street Miami, FL 33144 | Zeida Blanco |
| Banos Towing Service Corp. (Local vendor) | 572 Mokeno Drive Miami Springs, FL 33166 | Domingo Banos |
| Excalibur Towing Service Corp. (Local vendor) | 14294 SW 142 nd Avenue Miami, FL 33186 | Maria C. Crego |
| Kauff's of Miami, Inc. (Local vendor) | 2435 Ali Baba Avenue Opa Locka, FL 33054 | Francis G. Russell |
| Midtown Towing of Miami, Inc. (Local vendor) | 551 NW 72 nd Street Miami, FL 33150 | Lauraine Litchamn |
| A-1 Redland Economy Towing of Homestead, Inc. (Local vendor) | 111 SW 2 nd Street Homestead, FL 33030 | Sandra L. Vanderford |
| Southwest Transport, Inc. (Local vendor) | 3870 Shipping Avenue Miami, FL 33146 | Peter F. Hernandez |

**Performance/Compliance
Data:**

Kauff's of Miami, Inc.: During this contract's second option-to-renew period, the County discovered errors with invoicing. This firm overcharged the County on two occasions for towing services. The vendor agreed to cancel the incorrect invoices and issued new invoices with correct amounts.

The following performance issues involve vendors awarded a contract under RFQ97, Police Towing and which are recommended for this contract. These issues have been successfully closed out or corrected.

Westbrook Motors, Inc

While conducting a site inspection due to the sale of the company, the Miami-Dade Police Department discovered that Westbrook did not have

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sufficient inside storage space to comply with requirements of the County contract. Westbrook had an agreement with the City of Hialeah that required the same amount of inside storage spaces as the County contract. The City of Hialeah relinquished Westbrook from their agreement after the new owners agreed that the inside storage space was to be used solely by Miami-Dade County.

Kauff's of Miami, Inc.

MDPD issued a warning to the vendor for several violations including overcharging citizens \$13.50 in towing charges per citation. Additionally, the vendor did not issue certified mail to violators as required, creating a delay in issuance of owner notification letters. The vendor acknowledged the violations and issued refunds to the citizens that were overcharged.

A-1 Redland Economy Towing

MDPD issued a warning to the vendor for overcharging citizens for citations issued. The overcharges totaled \$127.00. The vendor acknowledged the violations and issued refunds to the citizens that were overcharged.

- Contract Measure:** The Small Business Enterprise Bid Preference was applied in accordance with the Ordinance where permitted by funding.
- Local Preference:** The Local Preference was 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:** The contract includes the User Access Program provision. The 2% program discount is being collected on all purchases where permitted by funding source.
- Procurement Contracting Officer:** Elian Roman

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MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: October 18, 2011

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

SUBJECT: Agenda Item No. 8(F)(2)

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

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(F)(2)
10-18-11

RESOLUTION NO. R-921-11

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR CERTAIN 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,

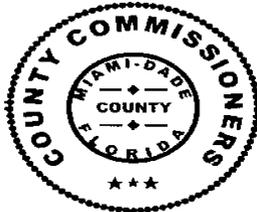
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board delegates to the County Mayor or County Mayor's designee the authority to exercise, in their discretion, the options-to-renew set forth in this item when in the best interest of Miami-Dade 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.

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

| | | | |
|----------------------|-------------------------------------|----------------------|------------|
| | Joe A. Martinez, Chairman | aye | |
| | Audrey M. Edmonson, Vice Chairwoman | aye | |
| Bruno A. Barreiro | aye | Lynda Bell | aye |
| Esteban L. Bovo, Jr. | aye | Jose "Pepe" Diaz | aye |
| Sally A. Heyman | aye | Barbara J. Jordan | nay |
| Jean Monestime | aye | Dennis C. Moss | aye |
| Rebeca Sosa | aye | Sen. Javier D. Souto | aye |
| Xavier L. Suarez | aye | | |

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of October, 2011. 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "HBo", written over a horizontal line.

Hugo Benitez