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

Memorandum

MIAMI-DADE COUNTY

Date: March 6, 2012

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

From: Carlos A. Gimenez
Mayor

Agenda Item No. 8(F)(6)

Resolution No. R-206-12

Subject: Resolution Waiving Formal Bid Procedures

Recommendation
It is recommended that the Board of County Commissioners (Board) waive competitive bidding procedures for the attached contract 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.

Scope
The impact of the item in the attached Bid Waiver Package is countywide in nature.

Fiscal Impact/Funding Source
The allocation and funding source by department/agency is listed in the attached Bid Waiver Package. Contract amount and department allocation 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/agencies. Funding will be expended only if departmental budgets can support the expenditures approved in their annual budget adopted by the Board.

Track Record/Monitor
There are no known performance issues with the vendor recommended for award in the attached Bid Waiver Package. The departments' contract manager is reflected in the individual agenda items.

Delegated Authority
If this item is approved, the County Mayor or County Mayor's designee will have the authority to extend contract for purchase of goods and services in accordance with the terms and conditions of the contracts listed in the attached Bid Waiver Package.

Background

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.

Item 1: **Motorola Master Services Agreement** requests authorization to modify this contract for additional spending authority for five options-to-renew (OTR) previously approved by the Board to allow the Miami-Dade Police Department to purchase maintenance support services as well as additional software licenses and equipment for the existing Safety and Priority Dispatch (PSPDS) and Emergency Medical Dispatch (EMD) software systems. The additional amount being requested for the approved OTRs is **$1,214,000**.

Item 2: **ASG Software Maintenance & Support Services** requests authorization to modify this contract for additional time and spending authority to allow the Miami-Dade Information Technology

(ITD) Department to purchase Allen Systems Group, Inc. (ASG) Software Licenses as well as maintenance and support for existing County software. This is a request for an additional five years and **$618,000.**

Deputy Mayor

Item 1

Contract No.:	BW9007-5/16-1
Contract Title:	**Motorola Master Services Agreement**
Description:	To modify this contract for additional spending authority for five options-to-renew previously approved by the Board under Resolution No. R-637-09 on June 2, 2009, to allow the Miami-Dade Police Department to purchase maintenance support services for the existing Safety and Priority Dispatch (PSPDS) and Emergency Medical Dispatch (EMD) ProQA software systems.
Type of Change:	Additional spending authority
Existing Cumulative Allocation:	$ 1,600,000 for seven year term, if all OTRs are exercised
Increase By:	$ 1,214,000
Modification Allocation:	$ 2,814,000
Current Expiration:	June 30, 2012 *If all OTRs are exercised, the expiration date will be June 30, 2016
Modified Expiration:	Unchanged

REASON FOR CHANGE

This contract, including all option-to-renew (OTR) periods, was approved by the Board in June 2009 under Resolution No. R-637-09 to provide the County with software licenses, equipment, and maintenance support services for the proprietary Motorola Computer Aided Dispatch (CAD) 911 System. CAD 911 is an integrated system that includes several complex sub systems used by the Miami-Dade Fire Rescue (MDFR) and Miami-Dade Police (MDPD) departments to provide emergency response services. The Information Technology Department (ITD) assists in and coordinates the support of CAD 911 for MDPD and MDFR operations. The contract also included several optional 911 system components that Motorola Inc. is authorized to provide from third party manufacturers.

As part of 911 operations, MDPD uses the Public Safety and Priority Dispatch (PSPDS) and Emergency Medical Dispatch (EMD) ProQA Software manufactured by Priority Dispatch Corp. to assist in prioritizing the appropriate vehicles, equipment and personnel for response to emergency 911 calls. With the use of these systems, MDPD has been able to improve survivability rates resulting from 911 emergency calls. The ProQA Software included maintenance support services through 2008. Motorola Inc. has been identified as an authorized third party provider of ProQA Software licenses, equipment and maintenance support services and these items are available under the scope of this contract. Allocation for these support services was not contemplated at the time of the initial award.

In order to bring the ProQA Software to the most current version and reinstate maintenance support services, MDPD was required to make a payment under this contract. To facilitate this payment, the Information Technology Department (ITD) assisted MDPD by loaning them their allocation. This modification will provide MDPD with increased spending authority under this contract, allow MDPD to return the borrowed funds to ITD, and enable it to pay for future maintenance support services. This will ensure software license compliance, maintain compatibility and functionality, and continue access to software updates and upgrades for ProQA Software. Additionally, this will allow for the consolidation of these components of 911 operations with CAD 911 under a single master services contract. Due to the need to maintain smooth 911 operations at all times, staff regularly assesses the need for additional

software, equipment and support services. As future needs are determined, future modifications to this contract may be required to maintain uninterrupted emergency services for the County.

Contract Terms and Allocations:

Term	Amount Approved by the Board	Modification Requested	Modified Value	Contract Dates
Initial Term	$700,000	$0	$700,000	July 1, 2009 to June 30, 2011
First OTR	$300,000	$403,000*	$703,000	July 1, 2011 to June 30, 2012
Second OTR	$150,000	$199,000	$349,000	July 1, 2012 to June 30, 2013
Third OTR	$150,000	$201,000	$351,000	July 1, 2013 to June 30, 2014
Fourth OTR	$150,000	$204,000	$354,000	July 1, 2014 to June 30, 2015
Fifth OTR	$150,000	$207,000	$357,000	July 1, 2015 to June 30, 2016
Total:	**$1,600,000**	**$1,214,000**	**$2,814,000**	

*Includes allocation for reimbursement of funds to ITD as well as one maintenance and support payment.

**Maintenance and support payments include an escalation of approximately 1% year over year.

Total Amount Being Requested for Five OTRs: **$ 1,214,000**

Using/Managing Departments and Funding Sources:

Department	Existing Allocation	Additional Allocation	Modified Allocation	Funding Source	Contract Manager
Information Technology	$1,393,000	$0	$1,393,000	Internal Service Funds	Mirta Cardoso
Police	$207,000	$1,214,000	$1,421,000	911 Operating Funds	Laura Romano
Total:	**$1,600,000**	**$1,214,000**	**$2,814,000**		

Vendor:	**Address**	**Principal**
Motorola Inc. (Non-local Vendor)	1303 E. Algonquin Road Schaumburg, IL 60196	Edward J. Zander

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

Local Preference: Not Applicable

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: Beth Goldsmith

Item 2

Contract No.:	SS9228-0/12
Contract Title:	**ASG Software Maintenance & Support Services**
Description:	To modify this contract for additional time and funds to allow the Information Technology (ITD) Department to purchase new Allen Systems Group, Inc. (ASG) Software Licenses as well as Maintenance and Support for existing County software. Various ASG software applications are used as part of the County's Mainframe platform.
Type of Change:	Additional time and spending authority
Existing Allocation:	$ 95,000 for two years
Increase By:	$ 618,000 for five years
Modification Allocation:	$ 713,000
Current Expiration:	April 10, 2012
Modified Expiration:	April 10, 2017

REASON FOR CHANGE

Authorization is requested to consolidate two previously awarded contracts to support the Miami-Dade Information Technology (ITD) Department. In February 2010, the County awarded Contract No. SS9228-0/12 to Allen Systems Group, Inc. (ASG) for purchase of Doc-Aid Software. This Software provides monitoring, job documentation, disaster recovery, tape consolidation, reporting, replication, decompression and defragmentation of archived data for the County's mainframe. In January 2008, the County awarded Contract No. BW7160-7/18 to Information Systems Manager, Inc. (ISM) for purchase of Perfman Software. This Software automatically gathers and analyzes performance data and provides capacity planning for the County's mainframe in a format that is easily understood. In June 2011, ASG acquired full ownership of the Perfman Software from ISM. This modification will incorporate both software products under Contract No. SS9228-0/12 for purchase of proprietary maintenance and support services to ensure uninterrupted operations.

In addition to maintenance and support for existing software, additional spending authority is requested to purchase new ASG Becubic Software to provide ITD with additional needed functionalities. The Becubic Software will analyze source code for all software applications used by the County to identify potential bugs caused by programming changes and specifically guard against application failures and ensure stability. No other software solution can provide this functionality. Current mission critical legacy systems that will benefit from the Becubic analytical tool include Payroll, Building, Criminal Justice, Personal Property Tax Assessment, Real Estate Tax Assessment, and Transit Equipment Systems.

To ensure best value with this consolidation and software purchase, staff negotiated with ASG to achieve a revised price and product schedule. The pricing negotiated with ASG by consolidating the maintenance and support of the existing software with the Becubic licenses is approximately 75% below ASG's list price, resulting in a reduction of $1,080,446 over the five year term. In addition, ASG is providing $35,000 in consulting services to implement the new software at no additional cost. A breakdown of the savings is included in the table below. These discounts are contingent upon completion of this modification by March 30, 2012. It is therefore in the best interest of the County to extend the current contract with ASG

with the requested allocation to provide ITD with the necessary tools to manage existing countywide systems.

Description	List Price	Negotiated Prices	Savings
Becubic Software Licenses	$567,646	$127,656	$439,990
Doc-Aid Software Maintenance and Support Services (Year 1)	$64,000	$47,042	$16,958
Perfman Software Maintenance and Support Services (Year 1)	$24,000	$17,802	$6,198
On-site Technical Support	$35,000	No Cost	$35,000
		Total Savings (Year 1 only)	**$498,146**
Becubic Software Maintenance and Support Services (Years 2 through 5)	$600,000	$98,480	$501,520
Doc-Aid Software Maintenance and Support Services (Years 2 through 5)	$320,000	$235,210	$84,790
Perfman Software Maintenance and Support Services (Years 2 through 5)	$120,000	$89,010	$30,990
		Total Savings (Years 2 through 5)	**$617,300**
Total 5 Year Savings			**$1,115,446**

Using/Managing Department and Funding Source:

Department	Existing Allocation	Additional Allocation	Modified Allocation	Funding Source	Contract Manager
Information Technology	$ 95,000	$618,000	$713,000	Internal Services Funds	Mirta Cardoso
Total:	**$ 95,000**	**$618,000**	**$713,000**		

Vendor:	Address	Principal
Allen Systems Group, Inc. (Non-local vendor)	1333 Third Avenue South Naples, Florida 34102	Arthur Allen

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: October 28, 2009

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 applies. The 2% program discount is being collected on all purchases.
Procurement Contracting Officer	Margaret Brown

MEMORANDUM

(Revised)

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

DATE: March 6, 2012

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

SUBJECT: Agenda Item No. 8(F)(6)

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)(6)
3-6-12

RESOLUTION NO. R-206-12

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES 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 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

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.

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

Joe A. Martinez, Chairman			**absent**
Audrey M. Edmonson, Vice Chairwoman			**absent**
Bruno A. Barreiro	**aye**	Lynda Bell	**aye**
Esteban L. Bovo, Jr.	**aye**	Jose "Pepe" Diaz	**absent**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Jean Monestime	**absent**	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 6th day of March, 2012. 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.

Hugo Benitez