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

Memorandum

MIAMI-DADE COUNTY

Date: September 4, 2012

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

Agenda Item No. 8(F)(4)

From: Carlos A. Gimenez
Mayor

Resolution No. R-678-12

Subject: Recommendation for Approval to Award: Liquefied Petroleum Gas

---

Recommendation
It is recommended that the Board of County Commissioners (Board) approve the award of a contract to Ferrellgas, LP for purchase of liquefied petroleum gas for various County departments.

Approval is also requested to allow the Miami-Dade Transit Department (MDT) to use Charter County Transportation Surtax funds as a component of MDT Operating funds for this contract. This award recommendation is placed for Committee review pursuant to Miami-Dade County Code Section 29-124(f). The MDT allocation within this award recommendation may only be considered by the Board if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board prior to the date scheduled for Board consideration or 45 days have elapsed since the filing with the Clerk of the Board of this award recommendation. If the CITT has not forwarded a recommendation and 45 days have not elapsed since the filing of this award recommendation, I will request a withdrawal of the MDT allocation from this item.

Contract Number and Title
8233-1/22, Liquefied Petroleum Gas

Scope
The impact of this item is countywide in nature.

Fiscal Impact/Funding Source
The fiscal impact for the initial five-year term is $888,000. If the one, five-year option-to-renew period is exercised the fiscal impact will be up to $1,776,000. The previous contract amount was $2,661,000 for five years. The allocations for the new contract are budgeted as follows:

Department	Allocation	Funding Source	Contract Manager
Aviation	$ 12,000	Proprietary Funds	Neivy Garcia
Fire Rescue	285,000	Fire District Funds	Marianela Betancourt
Community Action and Human Services	45,000	Federal Funds	Shirley Almeida
Corrections and Rehabilitation	222,000	General Fund	Mohammed Haq
Public Housing and Community Development	7,000	Federal Funds	Mari Saydal-Hamilton
Parks, Recreation and Open Spaces	178,000	General Fund	William Solomon
Information Technology	24,000	Internal Service Funds	Manny Fernandez
Internal Services	20,000	Internal Service Funds	Lucy Romano
Transit	8,000	MDT Operating*	Vontressia Young
Police	9,000	General Fund	Laura Romano
Public Works and Waste Management	38,000	General Fund	Olga Espinosa-Anderson
Water and Sewer	40,000	Proprietary Funds	Gregory Hicks
Total	**$ 888,000**		

**MDT has confirmed that no federal funds will be used for this contract. MDT Operating funds is inclusive of Charter County Transportation Surtax funds.*

Track Record/Monitor
This contract is used by various County departments. The contract managers for each department are listed in the table above. Sherry Crockett of the Internal Services Department is the Procurement Contracting Officer.

Delegated Authority
If this item is approved, the County Mayor or designee will have the authority to exercise, at their discretion, contract modifications, options-to-renew, and extensions, and to issue work orders, in accordance with the terms and conditions of the contract.

Vendors Recommended for Award

Awardee	Address & Principal	Adder Amount
Ferrellgas, LP	One Liberty Plaza, Liberty, MO James E. Ferrell	Group A- $0.530 Group B- $0.530

Vendors Not Recommended for Award

Proposer	Reason for Not Recommending
Amerigas, LP	Adder price was $0.169 higher than the recommended bidder for Groups A and B.

Due Diligence
Due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine Contractor responsibility, including verifying corporate status and that there are no performance or compliance issues. The lists that were referenced include: convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to contractor responsibility. This information is being provided pursuant to Resolution R-187-12.

Applicable Ordinances and Contract Measures
The Small Business Enterprise Bid Preference and Local Preference were applied in accordance with the applicable ordinances where permitted by funding source. The services being provided are not covered under the Living Wage Ordinance. This contract includes the 2% User Access Program provision which will be collected on all purchases where permitted by funding source.

Background
An Invitation to Bid was issued under full and open competition on January 26, 2012 for purchase of liquefied petroleum gas for various County departments. Liquefied petroleum gas is used by County departments in one or more of the following ways: (1) fuel appliances (stoves and ovens) to prepare meals for inmates and staff, (2) power forklifts and other mobile materials handling equipment that operate inside warehouses or other enclosed areas where emissions and vapors from different types of fuel would create hazardous, health, or safety problems, (3) provide ignition and heat source to power kilns used in water treatment and in large incinerators to burn items, and (4) power large generators and water pumps manufactured to work with liquefied petroleum gas or natural gas.

Under the County's existing liquefied petroleum gas contract, liquefied petroleum gas is purchased per gallon for bulk deliveries and per pound for delivery in cylinders. Bulk deliveries are made to storage tanks owned by the County. The vendor provides smaller cylinders used for powering forklifts and other equipment uses. The price is fixed for six months. Price adjustments are allowed based on a six-month analysis of the average movement of the liquefied petroleum gas price index report published by the Oil Price Information Service, an industry source for petroleum pricing and news information.

Prior to advertising this solicitation, staff conducted market research that suggested better pricing is available by contracting for liquefied petroleum gas using an index and an adder price, instead of a per gallon price. The method of award for this solicitation was to the responsive and responsible bidder offering the lowest firm and fixed adder price per gallon. This method has been successfully used by the State of Florida and Palm Beach County. The vendor will be required to hold the adder price fixed and firm for the five-year term of the contract, and for any subsequent options-to-renew that may be exercised by the County. The Oil Price Information Service index price may move up or down, depending on commodity prices. Currently, liquefied petroleum gas commodity prices are at a ten-year average low, due to oversupply and lower demand. The proposed contract amount is based on current usage.

Edward Marquez
Deputy Mayor

MEMORANDUM
(Revised)

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

DATE: September 4, 2012

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

SUBJECT: Agenda Item No. 8(F)(4)

Resolution No. R-678-12

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)(4)
9-4-12

RESOLUTION NO. R-678-12

RESOLUTION AWARDING CONTRACT 8233-1/22, LIQUEFIED PETROLEUM GAS, TO FERRELLGAS, LP IN A TOTAL AMOUNT OF UP TO $888,000 FOR THE INITIAL TERM, OR $1,776,000 IF THE RENEWAL OPTION IS EXERCISED, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO MODIFY THE CONTRACT, EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND ANY OTHER RIGHTS CONTAINED THEREIN, IN ACCORDANCE WITH THE TERMS OF THE CONTRACT, ON BEHALF OF MIAMI-DADE COUNTY, AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS

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 hereby directs the County Mayor or County Mayor's designee to award Contract No. 8233-1/22, Liquefied Petroleum Gas, to Ferrell Gas, LP, in the amount of up to $888,000 for the initial term, or $1,776,000 if the renewal option is exercised; authorizes the County Mayor or County Mayor's designee to modify the contract, exercise any cancellation and renewal provisions and any other rights contained therein, .in accordance with the terms and conditions of the contract, on behalf of Miami-Dade County, and authorizes the use of Charter County Transportation Surtax Funds.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Audrey M. Edmonson** 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	**aye**
Jean Monestime	**absent**	Dennis C. Moss	**aye**
Rebeca Sosa	**aye**	Sen. Javier D. Souto	**aye**
Xavier L. Suarez	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 6 day of September, 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

Memorandum

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

From: Charles Scurr, Executive Director

Date: July 19, 2012

Re: **CITT AGENDA ITEM 5D:**
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS (BCC), AUTHORIZE COMPETITIVE CONTRACT AWARDS AND MODIFICATIONS WITH AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER, FOR PURCHASE OF GOODS AND SERVICES, PROCESSED BY THE INTERNAL SERVICES DEPARTMENT (ISD) ON BEHALF OF MIAMI-DADE TRANSIT (MDT), AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS IN THE AMOUNT OF **$8,000.00**
(MDT – BCC Legislative File No. 121306)

On July 19, 2012, the CITT voted (10-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 12-064. The vote was as follows:

Hon. Linda Zilber, Chairperson – Aye
Paul J. Schwiep, Esq., 1st Vice Chairperson – Aye
Hon. Anna E. Ward, Ph.D., 2nd Vice Chairperson – Aye

Christopher Benjamin, Esq. – Absent
Joseph Curbelo – Absent
Peter L. Forrest – Aye
Prakash Kumar – Aye
Hon. James A. Reeder – Aye
Harold Braynon, Jr. – Absent
Glenn J. Downing, CFP® – Aye
Alfred J. Holzman – Aye
Miles E. Moss, P.E. – Aye
Marilyn Smith – Aye

cc: Alina Hudak, Deputy Mayor/County Manager
Bruce Libhaber, Assistant County Attorney
Alexander Bokor, Assistant County Attorney