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

Memorandum

MIAMI-DADE COUNTY

Date: November 8, 2012

Agenda Item No. 8(F)(7)

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

From: Carlos A. Gimenez
Mayor

Subject: Resolution Waiving Formal Bid Procedures and Ratifying Emergency Contract Awards

Resolution No. R-899-12

Recommendation

It is recommended that the Board of County Commissioners (Board) waive competitive bidding procedures for the purchase of goods and services pursuant to Section 2-8.1 of the County Code and Section 5.03(D) of the Home Rule Charter, and approve the attached emergency contract awards with authority to exercise options-to-renew. Specifically, the items being considered by the Board are described briefly below and in more detail in the accompanying attachments:

Item 1 - Furnish and Install Chiller - Waives formal bid procedures to ratify an emergency contract award of $191,504 to furnish and install a replacement chiller at the Miami Beach Regional Library. The chiller was inoperable and could not be repaired.

Item 2 - Central A/C and Related Ductwork – Pre-qualification - Waives formal bid procedures to ratify an emergency contract award of $510,750 for the supply, installation and servicing of central air conditioning systems for low-income and elderly residents.

Scope

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

Fiscal Impact/Funding Source

The allocation and funding source for the departments are listed in the attached Bid Waiver Package.

The contract amounts and departmental allocations represent the maximum spending authority based on past utilization. This action does not guarantee that the total contract amount/value will be expended by the department. Funding will be expended only if the department's budget can support the expenditures approved in its annual budget adopted by the Board.

Track Record/Monitor

There are no known performance/compliance issues with the vendors recommended for award in the attached Bid Waiver Package. The departments' contract managers are reflected in the attached Bid Waiver Packages.

Delegated Authority

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

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 review of 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.

Background

Additional background information for the emergency purchases are attached.

for

Edward Marquez
Deputy Mayor

MEMORANDUM
(Revised)

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

DATE: November 8, 2012

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

SUBJECT: Agenda Item No8(F)(7)

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)(7)
11-8-12

RESOLUTION NO. R-899-12

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, 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

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			**aye**
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	**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 8th day of November, 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

Item 1

Contract No.: E9625-LB	Title: Furnish and Install Chiller

Type of Non-competitive Award: ☐ Bid Waiver ☐ Sole Source ☒ Emergency Award

Justification:

This emergency contract was awarded to replace the Heating, Ventilation, and Air Conditioning (HVAC) system chiller unit that failed at the Miami Beach Regional Library. The Library Department's air conditioning team attempted to repair the chiller unit; however, it was determined to be inoperable and could not be repaired. In order to maintain the facility operational, an emergency contract was established for the immediate purchase and installation of a replacement chiller. The timely replacement ensured the comfort and safety of employees and library patrons.

Contract Term Length:	Contract Value:
Not applicable	$191,504

Departments, Allocations, and Additional Funds Requested

Department	Allocation	Funding Source	Contract Manager
Library	$191,504	Library District	Anna Rodriguez
TOTAL	**$191,504**		

Contract Measures: ☐ Small Business Enterprise ☐ Set-Aside ☐ Bid Preference ☐ Selection Factor ☒ Other No Measure – Emergency Purchase

Local Preference Ordinance: ☐ Applies ☒ Does not apply

Living Wage Ordinance: ☐ Applies ☒ Does not apply

User Access Program: ☒ Applies where permitted by funding source ☐ Does not apply

Procurement Contracting Officer: Susan Pascul

Vendor(s)	Local Address	Principal
AAF McQuay Inc. d/b/a McQuay International	10300 Ormsby Park Place, Suite 600, Louisville, KY	Katsuhiko Takagi

The firm is not SBE certified

Item 2

Contract No.: E8933-0/12	Title: Central A/C and Related Ductwork

Type of Non-competitive Award: ☐ Bid Waiver ☐ Sole Source ☒ Emergency Award

Justification:

The Community Action and Human Services Department (CAHSD), through its Energy Programs Division, was awarded American Recovery and Reinvestment Act (ARRA) funds for the purpose of rehabilitating and weather-proofing privately-owned homes for low-income residents under the Weatherization Assistance Program. Two additional ARRA grants were awarded in February 2012 for the purpose of rehabilitating and weatherizing multifamily units. These services included removal of existing air conditioning units prior to new installation, installation of digital thermostats, inspection, sealing, insulation and replacement of existing ducts.

CAHSD's existing allocation on contract 8933-1/13-1, Central A/C and Related Ductwork Pre-qualification, did not provide sufficient expenditure authority to procure the goods and services, complete and pay for the work, and complete all grant close-out activities associated with the June 5, 2012 deadline associated with the ARRA funds. As such, it was necessary to establish an emergency allocation of $510,750 in order ensure that the maximum amount of utilization/services was provided to these low income and elderly residents prior to expiration of the grant funding.

Contract Term Length:	Contract Value:
April 18, 2012 to October 17, 2012	$510,750

Departments, Allocations, and Additional Funds Requested

Department	Allocation	Funding Source	Contract Manager
Community Action and Human Services	$510,750	Federal Funds/ ARRA	Shirley Almeida
TOTAL	**$510,750**		

Contract Measures: ☐ Small Business Enterprise ☐ Set-Aside ☐ Bid Preference ☐ Selection Factor ☒ Other No Measure – Emergency Purchase

Local Preference Ordinance: ☐ Applies ☒ Does not apply

Living Wage Ordinance: ☐ Applies ☒ Does not apply

User Access Program: ☒ Applies where permitted by funding source ☐ Does not apply

Procurement Contracting Officer: Susan Pascul

Vendor(s)	Local Address	Principal
A & M Mechanical Contractors, Inc.	7495 NW 7th Street, Bay 1 Miami, FL	Miguel Rodriguez
Advanced Roofing, Inc.	1950 NW 22nd Street Ft. Lauderdale, FL	Robert Kornahrens
Archon Air Management, Corp. (CSBE)	2501 NW 74th Avenue Miami, FL	Luis A. Ugarde
City Air, Inc. (CSBE; DBE; Micro/SBE)	3800 SW 129th Avenue Miami, FL	Daniel A. Cuesta
Community Air Conditioning, Inc. (CSBE)	19770 SW 136th Avenue Miami, FL	Ricardo Rojas
Conwell & Associates Consulting Company (CSBE; DBE; Micro/SBE)	11771 SW 137 Place Miami, FL	Kenneth Conwell
Cool-Breeze Air Conditioning Corporation	13120 SW 130th Terrace Miami, FL	Frank Crawley
Done Wright A/C and Electric Service Inc. (CSBE; DBE; Micro/SBE)	10711 SW 216th Street, Suite 109 Miami, FL	David L. Wright
Ductmasters USA, Inc.	7027 West Broward Blvd., #271 Plantation, FL	Roger Herde
Edd Helms Air Conditioning, Inc.	17850 NE 5th Avenue Miami, FL	Wade Helms
F X P Corp. (CSBE)	4900 SW 72nd Avenue Miami, FL	Francisco X. Perez
Gestido Construction Group, Inc.	6157 NW 167th Street F-28 Miami, FL	Antonio Gestido, Jr.
Master Mechanical Services, Inc.	15181 NW 33rd Place Miami, FL	Joann Pinna
Pilar Services, Inc. (CSBE; SBE)	8191 NW 91st Terrace, A-3 Medley, FL	Walter Ormazabal
South Dade Air Conditioning and Refrigeration, Inc. (CSBE; DBE; Micro/SBE)	14510 SW 284th Street Homestead, FL	Paul J. Morrow
Temptrol Air Conditioning, Inc.	4215 SW 72nd Avenue Miami, FL	Raymond Lopez
Weathertrol Maintenance Corp.	7250 NE 4th Avenue Miami, FL	Carlos I. Borja