

# Memorandum



**Date:** July 2, 2013

**To:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Resolution Authorizing Modification of a Contract with RESPECT of Florida and Use  
of Charter County Transportation Surtax Funds

Agenda Item No. 8(F)(4)

Resolution No. R-516-13

## 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 contract modification. The item is described briefly below and in more detail in the accompanying attachment.

**Item 1 – Janitorial Services** - Modifies a contract with the Florida Association of Rehabilitation Facilities (RESPECT) for an additional six months and additional spending authority in the amount of \$2,868,000 to continue the purchase of janitorial services for various County facilities and on Miami-Dade Transit buses.

RESPECT is statutorily designated not-for-profit agency by the State of Florida that operates as a preferential purchasing program for government agencies, and manages employment for the blind and severely handicapped. RESPECT provides employment opportunities for Floridians with disabilities. Chapter 413 of the Florida Statutes directs state and local government agencies to purchase applicable products and services from Florida-based, non-profit, community based organizations that employ people with disabilities and RESPECT is the central contact point for this process. Purchases from RESPECT pursuant to the Florida Statutes are exempt from state and local government competitive bidding requirements in accordance with Section 60E-1.005, Florida Administrative Code.

This agenda item is placed for Committee review pursuant to Miami-Dade County Code Section 29-124(f). The recommendation in Section 2 of this item 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 contract 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 this item. This contract is scheduled for the June 2013 CITT meeting.

## Scope

The scope of the action in this item is countywide in nature.

## Fiscal Impact/Funding Source

The current 12-month contract is valued at \$5,160,000. This item would modify the contract by an additional \$2,868,000 and six months. The allocation and funding source for the departments are listed in detail in the attached item.

The contract amount 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 vendor recommended for award in the attached item. Each departments' contract manager is reflected in the individual item.

**Delegated Authority**

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

**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 information for the item is attached.

Attachment



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Alida T. Hudak  
Deputy Mayor



# MEMORANDUM

(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** July 2, 2013

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

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

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 Mayor'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)  
7-2-13

RESOLUTION NO. R-516-13

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES BY A TWO-THIRDS (2/3S) VOTE OF THE BOARD MEMBERS PRESENT AUTHORIZE MODIFICATION OF A CONTRACT FOR THE PURCHASE OF GOODS AND SERVICES IN AN AMOUNT UP TO \$2,868,000.00, AND AUTHORIZES USE OF CHARTER COUNTY SURTAX FUNDS

**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:

**Section 1.** This Board waives 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 members present.

**Section 2.** This Board authorizes the modification of a contract as set forth in item 1 of the incorporated memorandum to add an additional \$2,868,000.00 in spending authority for the purchase of goods and services.

**Section 3.** This Board authorizes the County Mayor or County Mayor's designee to execute contracts for the items approved herein and exercise contract modifications, options-to-renew, any cancellation provisions, and any other rights contained therein in accordance with the terms and conditions of such contracts.

**Section 4.** This Board authorizes the use of Charter County Transportation Surtax Funds for the contracts, contract pools and contract modifications set forth herein.

The foregoing resolution was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Dennis C. Moss** and upon being put to a vote, the vote was as follows:

	Rebeca Sosa, Chairwoman	----	<b>aye</b>
	Lynda Bell, Vice Chair		<b>aye</b>
Bruno A. Barreiro	<b>aye</b>	Esteban L. Bovo, Jr.	<b>absent</b>
Jose "Pepe" Diaz	<b>aye</b>	Audrey M. Edmonson	<b>aye</b>
Sally A. Heyman	<b>aye</b>	Barbara J. Jordan	<b>aye</b>
Jean Monestime	<b>aye</b>	Dennis C. Moss	<b>aye</b>
Sen. Javier D. Souto	<b>aye</b>	Xavier L. Suarez	<b>aye</b>
Juan C. Zapata	<b>aye</b>		

The Chairperson thereupon declared the resolution duly passed and adopted this 2<sup>nd</sup> day of July, 2013. 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

**Christopher Agrippa**

By: \_\_\_\_\_  
Deputy Clerk



Approved by County Attorney as  
to form and legal sufficiency.

Oren Rosenthal

**Item 1 – Contract Modification**

<b>Contract No.:</b> BW7934-1/12-1	<b>Title:</b> Janitorial Services
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**Type of Change:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Additional Time               | <input checked="" type="checkbox"/> Authorization to use Charter County |
| <input checked="" type="checkbox"/> Additional Spending Authority | Transportation Surtax Funds as a Component of MDT Operating Funds       |

**Contract Description and Reason for Change:**

This janitorial contract was awarded to the Florida Association of Rehabilitation Facilities, Inc. d/b/a RESPECT of Florida (RESPECT). RESPECT is the non-profit agency that employs blind, disabled, and/or handicapped persons to provide certain services, to include janitorial services, in public agencies per Florida Statute 413.036.

There are currently 22 sites included in this contract, including the cleaning of buses for Miami-Dade Transit. These are varied and vastly different facilities and services, each requiring carefully developed specifications. This extension is required to provide sufficient time for departments to develop performance criteria specific to the varied services and facility types included in this contract, and to negotiate the successor bid waiver contract. As mentioned in the cover memorandum, purchases from RESPECT pursuant to the Florida Statutes are exempt from state and local government competitive bidding requirements in accordance with Section 60E-1.005, Florida Administrative Code, which means the competitive bidding process may be waived.

The current contract term was originally established for a six-month term valued at \$2,873,000. The allocations for Internal Services, Police, and Transit were \$1,626,000, \$663,000, and \$584,000, respectively. The contract was extended under the Mayor's delegated authority by another six-month with only a prorated amount for Internal Services (\$1,626,000) and Police (\$663,000), which brought the contract to a current term of 12 months and a total value of \$5,162,000. Transit did not require a prorated increase because it realized savings under the first six-month term as the vendor only got paid for the buses that passed cleanliness inspections, which were an average of 10 per day versus the anticipated 20 when the contract was established. The vendor has improved its performance under this contract, which in turn has allowed the number of buses passing inspection to increase. Because the vendor is currently cleaning an average of 20 buses that pass inspection, this new six month extension is approximately equal in value to the initial six-month term.

Current Term Length:				Additional Time Requested:	
12 months*				6 Months	
Current Term Start Date:		Current Term Expiration Date:		Proposed Expiration Date:	
August 1, 2012		July 31, 2013		January 31, 2014	
Department	Existing Allocation	Additional Allocation Requested	Modified Allocation	Funding Source	Contract Manager
Internal Services	\$3,252,000	\$1,626,000	\$4,878,000	Internal Service Funds	Lucy Romano
Police	1,326,000	663,000	1,989,000	General Fund	Laura K. Romano
Transit	584,000	579,000	\$1,163,000	MDT Operating	Angel Castro
<b>TOTAL</b>	<b>\$5,162,000</b>	<b>\$2,868,000</b>	<b>\$8,030,000</b>		

<b>Contract Measures:</b>	<input type="checkbox"/> Small Business Enterprise	<input type="checkbox"/> Set-Aside	<input type="checkbox"/> Bid Preference
	<input type="checkbox"/> Selection Factor	<input checked="" type="checkbox"/> Other	No Measure – Bid Waiver
<b>Local Preference Ordinance:</b>	<input type="checkbox"/> Applies <input checked="" type="checkbox"/> Does not apply		
<b>Living Wage Ordinance:</b>	<input checked="" type="checkbox"/> Applies <input type="checkbox"/> Does not apply		
<b>User Access Program:</b>	<input checked="" type="checkbox"/> Applies where permitted by funding source <input type="checkbox"/> Does not apply		

<b>Procurement Contracting Officer:</b> Robin Webb
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<b>Vendors</b>	<b>Address</b>	<b>Principal</b>
Florida Association of Rehabilitation d/b/a RESPECT of Florida	2475 Apalachee Pkwy., Ste 205, Tallahassee, FL	Suzanne Sewell



Memorandum



**To:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**From:** Charles Scurr, Executive Director *Charles Scurr*

**Date:** June 12, 2013

**Re: CITT AGENDA ITEM 5H:**  
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS (BCC), AUTHORIZE COMPETITIVE CONTRACT AWARDS AND CONTRACT MODIFICATIONS, IN THE AMOUNT OF \$855,000.00, 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 (MDT/ISD – BCC Legislative File No. 131081 and 131180)

On June 12, 2013, the CITT voted (7-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 13-030. The vote was as follows:

Paul J. Schwiep, Esq., Chairperson – Aye  
Hon. Anna E. Ward, Ph.D., 1st Vice Chairperson – Aye  
Glenn J. Downing, CFP®, 2nd Vice Chairperson – Absent

Christopher Benjamin, Esq. – Absent  
Peter L. Forrest – Aye  
Prakash Kumar – Aye  
Hon. James A. Reeder – Aye  
Hon. Linda Zilber – Absent

Joseph Curbelo – Aye  
Alfred J. Holzman – Aye  
Miles E. Moss, P.E. – Absent  
Marilyn Smith – Absent

cc: Alina Hudak, Deputy Mayor/County Manager  
Bruce Libhaber, Assistant County Attorney  
Miguel Gonzalez, Assistant County Attorney