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

# Memorandum

MIAMI-DADE COUNTY

Date: September 4, 2013

Agenda Item No. 8(F)(3)

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

From: Carlos A. Gimenez
Mayor

Subject: Resolution Authorizing Award and Modification of Legacy Contracts and Use of Charter County Surtax Funds

Resolution No. R-683-13

---

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached contract award and contract modifications for Legacy Purchases of goods and services pursuant to Section 2-8.1(b)(2) of the County Code. These items are described briefly below and in more detail in the accompanying attachments.

***Section 1 – Contract Award***

The contract award in this section is for a Legacy Purchase of parts and services for a system. The total amount awarded for this purchase is $1,977,000.

**Item 1.1 – Oil/Water Separation Equipment Maintenance Repair** – Approves a Legacy Purchase contract award to Sorbant Environmental Corporation for the Transit and Internal Services departments to purchase parts, maintenance and repair services for the existing Sorbant Oil/Water Separation System. The amount being requested for the five-year contract term is $1,977,000. The system is a filtration mechanism which is installed in approximately 195 storm water catch basins throughout County facilities. These filtration systems are part of the Storm Water Pollution Prevention Plan and a requirement of the National Pollutant Discharge Elimination System federal permit. The awarded vendor was originally selected via a competitive process. However, the vendor owns the patent to the system, and is the only vendor which may provide parts and services to this system while in use by the County.

***Section 2 – Contract Modifications***

The contract modifications in this section provide for additional time and/or spending authority for the purchase of necessary Legacy Purchased goods and services. The total additional funding requested for the contracts listed is $19,482,000.

**Item 2.1 – SCADA Process Control System** – Modifies this contract for an additional 60 months and $17,250,000 in spending authority to allow the Water and Sewer, Public Works and Waste Management, and Regulatory and Economic Resources departments to continue obtaining parts, supplies, maintenance, and repair services for the existing Supervisory Control and Data Acquisition (SCADA) systems which facilitate the monitoring and control of all pumping infrastructure for water treatment, water distribution, wastewater collection, and wastewater treatment. The SCADA system is proprietary and the required maintenance support services, parts, software licenses, and repair services can only be obtained through the awarded vendor, Emerson Process Management Power & Water Solutions, Inc., while in use by the County.

**Item 2.2 – A/C Chiller & Related Equipment/Maintenance Repair** - Modifies this competitively awarded contract for an additional 12 months and $2,212,000 in spending authority so various County departments can continue to purchase maintenance and repair services for A/C chillers and related equipment. This contract is reaching the end of its original term and it is necessary to request a 12-month extension of this contract while the replacement contract is being solicited, thus, a new, competitively awarded contract will replace this contract upon award, which is expected by the first quarter of 2013.

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 July 2013 CITT meeting.

**Scope**
The scope of the actions in this item are countywide in nature.

**Fiscal Impact/Funding Source**
The allocation and funding source for the departments are listed in detail in the attached items.

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 items. Each departments' contract manager is reflected in the individual items.

**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 items.

**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 on each item is attached.

Attachments

Edward Marquez
Deputy Mayor

# MEMORANDUM
(Revised)

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

**DATE:** September 4, 2013

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

**SUBJECT:** Agenda Item No. 8(F)(3)

**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)(3)
9-4-13

RESOLUTION NO. R-683-13

RESOLUTION AUTHORIZING AWARD OF A LEGACY CONTRACT IN A TOTAL AMOUNT UP TO $1,977,000.00 AND MODIFICATION OF LEGACY CONTRACTS FOR THE PURCHASE OF GOODS AND SERVICES BY A TWO THIRDS VOTE OF THE MEMBERS PRESENT, IN AN AMOUNT UP TO $19,482,000.00, AND AUTHORIZES USE OF CHARTER COUNTY SURTAX FUNDS

**WHEREAS,** the County Mayor recommends to this Board to authorize Legacy Purchases for goods and services,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA,** that:

**Section 1**: This Board authorizes Legacy Purchases pursuant to Section 2-8.1(b)(2) of the County Code by a majority vote of the members present.

**Section 2**: This Board authorizes award of a Legacy contract as set forth in Item 1.1 of the incorporated memorandum to add an additional $1,977,000.00 spending authority for the purchase of goods and services.

**Section 3:** This Board authorizes the modification of contracts as set forth in Item 2.1 and 2.2 of the incorporated memorandum to add an additional $19,482,000.00 in spending authority for the purchase of goods and services.

**Section 4**: 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 5:** 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 **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of September, 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

By: ***Christopher Agrippa***
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Oren Rosenthal

**Item 1.1 Legacy Contract Award**

| **Contract No.:** SS5477-1/23 | **Title: Oil/Water Separation Equipment Maintenance Repair** |
|---|---|

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

**Justification:**

In 1996, the County purchased the Sorbant Oil/Water Separation System (System) after researching and testing various types of filtration systems. This System is a filtration mechanism which removes pollutants by suspending them in a filter media or pillow, housed in boxed frames inside various sizes of catch basins. It is installed in approximately 195 storm water catch basins located throughout County facilities. A filtration system is an important part of the Storm Water Pollution Prevention Plan and the National Pollutant Discharge Elimination System federal permit requirement. The permit requires proper maintenance of the catch basin drains and yearly sampling and analysis of storm water run-off.

In 2008, a competitive solicitation for maintenance and repair of the system was awarded to the manufacturer of the existing filtration system, Sorbant Environmental Corp. (Sorbant), as a result of a formal open and competitive Invitation to Bid process. Two bidders responded to the solicitation, with the second bidder offering an alternate system. The bid offering an alternative system was not compatible with the existing system, thus requiring the complete replacement of the system. An analysis of that option concluded the replacement of the system would have been cost prohibitive and not necessary since the existing system is in good condition. In addition, Sorbant advised there are no other vendors authorized to service or provide replacement parts to its patented system. The companies that provide similar products and services cannot maintain this system due to proprietary rights.

The existing competitive contract with Sorbant expires September 30, 2013. It is recommended the County award this contract to Sorbant to continue providing maintenance, repair and parts for this filtration system. The vendor is maintaining same prices for all services, except the price of filter is higher by five dollars under this contract.

| **Term Length:** | **Modified Term Length:** N/A |
|---|---|
| 60 months | |

| **Department** | **Emergency Contract Value** | **Funding Source** | **Contract Manager** |
|---|---|---|---|
| Transit | $1,569,000 | MDT Operating | Akbar Sharifi |
| Internal Services | 408,000 | Internal Service Funds | Mark Hamilton |
| **TOTAL** | **$1,977,000** | | |

| | |
|---|---|
| **Contract Measures:** | ☐ Small Business Enterprise ☐ Set-Aside ☐ Bid Preference<br>☐ Selection Factor ☒ Other No Measure – Sole Source |
| **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:** | Jesus Lee |

| **Vendor** | **Address** | **Principal** |
|---|---|---|
| Sorbant Environmental Corp | 1764 NE 205 Terrace, North Miami, FL | Joel Friedland |

**Item 2.1 – Legacy Contract Modification**

| Contract No.: SS8180-3/13-3 | Title: SCADA Process Control System |
|---|---|
| ☒ Additional Time<br>☒ Additional Spending Authority | **Type of Change:**<br>☐ Authorization to use Charter County Transportation Surtax Funds as a Component of MDT Operating Funds |

**Contract Description and Reason for Change:**

Authorization is requested to modify this sole source contract for additional time and spending authority to allow the Water and Sewer, Public Works and Waste Management, and Regulatory and Economic Resources departments to continue obtaining parts, supplies, maintenance, and repair services for the existing Supervisory Control and Data Acquisition (SCADA) systems. The SCADA system is proprietary and the required maintenance support services, parts, software licenses, and repair services can only be obtained through Emerson Process Management Power & Water Solutions, Inc.

This sole source contract was established in 2007 for an initial term of three years, with three one-year options-to-renew. The entire current contract is valued at $18,843,000 for 78 months, inclusive of the initial three year term and the three, one year options-to-renew. The County is currently in its third option-to-renew period, which was extended from 12 to 18 months.

SCADA systems facilitate the monitoring and control of all pumping infrastructure for water treatment, water distribution, wastewater collection, and wastewater treatment. The departments must properly maintain their SCADA Systems to comply with the mandates and agreement requirements issued by Federal Consent Decrees, the Florida Department of Environmental Protection, and the South Florida Water Management District. The County must purchase SCADA equipment on an on-going basis to comply with federal regulations mandating that certain components be replaced periodically. Occasionally, equipment must also be replaced after it has been unexpectedly damaged by the weather. Continuity of services is required by the departments to ensure that an inventory of replacement parts and components as well as access to repair services can be obtained to respond quickly in case of an emergency situation.

Negotiations achieved a fixed percentage discount that avoids any additional increases and escalations. Approval of this modification will extend this contract for an additional five year period with fixed pricing.

In the case of Water and Sewer, the $16,625,000 modification is necessary to meet the anticipated needs over the next five years. More specifically, Water and Sewer's allocation will: 1) replace/upgrade outdated SCADA technology to monitor, as required, the County's water and sewer system 24 hours a day, and 2) replace outdated remote terminals at three wastewater treatment plants and 521 pump stations.

| Contract Terms | Time | Months | Value |
|---|---|---|---|
| Initial Term | May 1, 2007 – April 30, 2010 | 36 | $4,500,000 |
| 1st Option-to-Renew | May 1, 2010 – April 30, 2011 | 12 | 4,781,000 |
| 2nd Option-to-Renew | May 1, 2011 – April 30, 2012 | 12 | 4,781,000 |
| 3rd Option-to-Renew* | May 1, 2012 – October 31, 2013 | 18 | 4,781,000 |
| **Total Existing Contract** | **May 1, 2007 – October 31, 2013** | **78** | **$18,843,000** |
| ***Additional Request*** | ***November 1, 2013 – October 31, 2018*** | ***60*** | ***$17,250,000*** |

**This term was administratively extended for six months without additional funding*
***Additional Request is the modification recommended in this item and broken down by department and funding source in the table below. .*

| Department | Existing Allocation | Additional Allocation Requested | Modified Allocation | Funding Source | Contract Manager |
|---|---|---|---|---|---|
| Public Works and Waste Management | $50,000 | $625,000 | $675,000 | Storm Water Utility Funds | Olga Espinosa-Anderson |
| Regulatory and Economic Resources* | 50,000 | 0 | 50,000 | Proprietary Funds | John Lariosa |
| Water and Sewer | 4,681,000 | 16,625,000 | 21,306,000 | Proprietary Funds | Lydia Manners |
| **TOTAL** | **$4,781,000** | **$17,250,000** | **$22,031,000** | | |

**Going forward, PWWM will take over RER's SCADA allocation on this contract.*

| | |
|---|---|
| **Contract Measures:** | ☐ Small Business Enterprise ☐ Set-Aside ☐ Bid Preference<br>☐ Selection Factor ☒ None Sole Source |
| **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:** Erick Martinez | |

| Vendors | Address | Principal |
|---|---|---|
| Emerson Process Management Power & Water Solutions, Inc. | 200 Beta Drive<br>Pittsburgh, PA | Richard Jeffers |

Item 2.2 – Contract Modification

| Contract No.: 6046-2/12-2 | Title: A/C Chiller & Related Equipment/Maintenance Repair |
|---|---|

**Type of Change:**

☒ Additional Time
☒ Additional Spending Authority
☒ Authorization to use Charter County Transportation Surtax Funds as a Component of MDT Operating Funds

**Contract Description and Reason for Change:**
This contract provides for maintenance and repair services for A/C chillers and related equipment for various County departments. The additional time and funding will ensure service continuity while the solicitation process is completed and an award is presented to the Board for approval. While this request extends the contract through September 30, 2014, it is anticipated the new contract will be established prior to that date. This contract was originally competitively awarded but has reached the end of its term, thus, is being presented as a Legacy Purchase contract modification while the solicitation process for the new contract is being completed.

| Current Term Length: | | Additional Time Requested: |
|---|---|---|
| 18 months | | 12 months |
| **Current Term Start Date:** | **Current Term Expiration Date:** | **Proposed Expiration Date:** |
| April 1, 2012 | September 30, 2013 | September 30, 2014 |

| Department | Existing Allocation | Additional Allocation Requested | Modified Allocation | Funding Source | Contract Manager |
|---|---|---|---|---|---|
| Aviation | $1,203,000 | $1,095,000 | $2,298,000 | Proprietary Funds | Richard L. Jaffe |
| Corrections and Rehabilitation | 450,000 | 370,000 | 820,000 | General Fund | Ana Hassun |
| Internal Services | 351,000 | 307,000 | 658,000 | Internal Service Funds | Milton Hernandez |
| Police | 147,000 | 80,000 | 227,000 | General Fund | Laura Romano |
| Parks, Recreation and Open Spaces | 80,000 | 75,000 | 155,000 | General Fund / Proprietary Funds | Bill Solomon |
| Seaport | 25,000 | 45,000 | 70,000 | Proprietary Funds | Gyselle Pino |
| Water and Sewer | 105,000 | 70,000 | 175,000 | Proprietary Funds | Gregory D. Hicks |
| Public Housing and Community Development | 115,000 | 173,000 | 288,000 | Federal Funds | Indira Rajkumar |
| Transit | 40,000 | 19,000 | 59,000 | MDT Operating Funds | Dunbar Cornelle |
| Unallocated | 2,000 | (2,000) | 0 | | |
| **TOTAL** | **$2,518,000** | **$2,232,000** | **$4,750,000** | | |

| | |
|---|---|
| **Contract Measures:** | ☒ Small Business Enterprise ☐ Set-Aside ☒ Bid Preference<br>☐ Selection Factor ☒ Other Measures do not apply to Public Housing and Community Development Department due to federal funding source |
| **Local Preference Ordinance:** | ☒ Applies were permitted by funding source ☐ Does not apply |
| **Living Wage Ordinance:** | ☒ Applies where permitted by funding source ☐ Does not apply |

| | |
|---|---|
| **User Access Program:** ☒ Applies where permitted by funding source ☐ Does not apply | |
| **Procurement Contracting Officer:** Marcia Casamayor | |

| Vendors | Address | Principal |
|---|---|---|
| Southern Comfort Solutions Inc (CSBE; Micro/SBE) | 16215 SW 117 Ave, Unit 3, Miami, FL | Ricardo Monzon |
| Trane US Inc. | 2884 Corporate Way, Miramar, FL | Elena Perez |
| Johnson Controls, Inc | 15901 SW 29 Street, Miramar, FL | Brandon Kirk Davis |
| Weathertrol Maintenance Corp | 7250 NE 4 Avenue, Miami, FL | Antonio Perez |
| A & M Mechanical Contractors, Inc | 7495 NW 7 Street, Bay 1, Miami, FL | Marlene Marban |

**Memorandum**

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

**From:** Charles Scurr, Executive Director

**Date:** July 17, 2013

**Re:** **CITT AGENDA ITEM 5C:**
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 **$2,418,000.00**, 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. 131342 and 131442)**

---

On July 17, 2013, the CITT voted (11-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 13-034. 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 – Aye

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

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

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