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

Memorandum

MIAMI-DADE COUNTY

Agenda Item No. 8(F)(9)

Date: April 21, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Recommendation to Ratify Emergency Award: Cogeneration Units at the Central District Wastewater Treatment Plant

Resolution No. R-306-15

Recommendation

It is recommended that the Board of County Commissioners (Board) ratify the emergency contract award *E9812-WS, Cogeneration Units at the Central District Wastewater Treatment Plant* to Condo Electric Motor Repair Corp. for the purchase of two (2) replacement cogeneration units (i.e., engine generators) utilized by the Water and Sewer Department. The units are used at the County's Central District Wastewater Treatment Plant (Plant) to produce the heat required for the digestion of solids. The heat generated by the units assists in the production of sludge, which is sold as fertilizer, saving the County approximately $1.5 million per year as waste does not have to be transported to a landfill. In addition to the production of heat, the units provide electrical power applied to the sewage treatment process, which results in a yearly savings of approximately $850,000.

Various components within the existing units, which were over 26 years old, were close to failure and no longer repairable. To avoid a failure at the Plant, on July 23, 2014, the Water and Sewer Department declared the emergency purchase of two (2) cogeneration units to replace the failing units. The units were purchased through a competitive bidding process among pre-qualified vendors under *Contract No. 7712-1/20*. The total cost of the project was $3,663,277 (i.e., $4,048,277 minus an old equipment trade-in credit of $385,000). In light of the condition of the units and the potential impact that could result from the Plant's failure, it was necessary to proceed with this purchase prior to formal Board approval.

Scope

The impact of this item is countywide in nature.

Fiscal Impact and Funding Source

The fiscal impact for this emergency purchase is $3,663,277.

Department	Allocation	Funding Source	Contract Manager
Water and Sewer	$3,663,277	Proprietary Funds	David Diffee
Total	**$3,663,277**		

Track Record/Monitor

Lenny Sandoval of the Internal Services Department is the Procurement Contracting Officer.

Delegated Authority

If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise all provisions of the contract pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Vendor Recommended for Award

Awardee	Address	Principal
Condo Electric Motor Repair Corp.	3615 East 10 Court Hialeah, FL	Hector Gomez

Due Diligence

Pursuant to R-187-12, 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.

Applicable Ordinances and Contract Measures

- The two (2) percent User Access Program provision does not apply.
- There are no contract measures as this was an emergency purchase.
- The Local Preference Ordinance does not apply.
- The Living Wage Ordinance does not apply.

Jack Osterholt
Deputy Mayor

MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: April 21, 2015

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

SUBJECT: Agenda Item No. 8(F)(9)

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)(9)
4-21-15

RESOLUTION NO. R-306-15

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 VOTE OF THE BOARD MEMBERS PRESENT; RATIFYING AN EMERGENCY CONTRACT IN AN AMOUNT OF $3,663,277.00 FOR THE PURCHASE OF REPLACEMENT COGENERATION UNITS; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS CONTAINED THEREIN

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 finds it is in the best interest of Miami-Dade County to waive 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 vote of the Board members present.

Section2. This Board ratifies the emergency contract as set forth in the incorporated memorandum in a total amount of $3,663,277.00 and authorizes the County Mayor or County Mayor's designee to exercise all provisions of the contract. A copy of the contract is on file with and available upon request from the Internal Services Department, Procurement Management Services Division.

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

Jean Monestime, Chairman			**aye**
Esteban L. Bovo, Jr., Vice Chairman			**aye**
Bruno A. Barreiro	**absent**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Dennis C. Moss	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**	Xavier L. Suarez	**aye**
Juan C. Zapata	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of April, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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