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

Memorandum

MIAMI-DADE COUNTY

Date: April 21, 2015

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

From: Carlos A. Gimenez
Mayor

Agenda Item No. 8(F)(10)

Resolution No. R-307-15

Subject: Recommendation to Ratify Emergency Award: Rehabilitation of Secondary Clarifiers

This item was amended at the March 10, 2015 meeting of the Strategic Planning and Government Operations Committee to replace the term "repairs" with "rehabilitation" or "rehabilitate," as appropriate, as well as replace "Proprietary Funds" as the funding source with "Renewal and Replacement Funds."

Recommendation

It is recommended that the Board of County Commissioners (Board) ratify emergency contract award *E9825-WS, Rehabilitation of Secondary Clarifiers* to Moss - Kelley, Inc. for the purchase of rehabilitation and replacement services, including the associated demolition and installation of three (3) clarifiers (i.e., settling tanks) for the Water and Sewer Department. Clarifiers are used at the North District Wastewater Treatment Plant (Plant) to remove solids during the sewage treatment process. Three (3) of the clarifiers had failing components, resulting in the Plant's reduced capacity to treat the flow of sewage. Due to concerns of a potential public health hazard, the Water and Sewer Department initiated an emergency purchase on November 4, 2014 to swiftly rehabilitate and replace the failing internal components through a competitive bid among the pre-qualified vendors under existing *Contract No. 9138-5/19*.

On December 2, 2014, the Board modified *Contract No. 9138-5/19* through Resolution R-1046-14 to authorize the additional funding needed to complete this purchase. However, because there was not sufficient allocation on the contract at the time the emergency was declared, it is necessary to present this emergency purchase for Board ratification.

Scope

The impact of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for this emergency purchase is $3,052,298. The proposed allocation is budgeted as follows:

Department	Allocation	Funding Source	Contract Manager
Water and Sewer	$3,052,298	Renewal and Replacement Funds	Gregory Hicks
Total	**$3,052,298**		

Track Record/Monitor

Maggie Reynaldos of 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
Moss - Kelley, Inc.	210 University Drive, Suite 500 Coral Springs, FL	James B. Kelley

Due Diligence

Pursuant to Resolution 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 applies.
- There are no contract measures as this was an emergency purchase.
- The Local Preference Ordinance did not apply.
- The Living Wage Ordinance did 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)(10)

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)(10)
4-21-15

RESOLUTION NO. R-307-15

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 $3,052,298.00 FOR THE PURCHASE OF REHABILITATION AND REPLACEMENT SERVICES TO SECONDARY CLARIFIERS; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS CONTAINED HEREIN

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 $3,052,298.00 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