

Memorandum



Date: June 2, 2015

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

From: Carlos A. Gimenez
Mayor

Amended
Agenda Item No. 8(F)(8)

Subject: Recommendation to Waive Competitive Bid Procedures for Award of a Contract: Water and Sewer Rates and Fees Analysis

Resolution No. R-483-15

Recommendation

It is recommended that the Board of County Commissioners (Board) waive competitive bid procedures for the purchase of goods and services pursuant to Implementing Order 3-38 and approve award of Contract No. L530-0/19, Water and Sewer Rates and Fees Analysis, to Black & Veatch Corporation (B&V) for purchase of retail and wholesale water and sewer rate study services on behalf of the Water and Sewer Department for a one-year term. The purpose of the study is to provide the Water and Sewer Department with recommendations concerning rate structures for water and wastewater utility services that will in return be used to determine rate adjustments. The recommendation of the study shall address the adequacy of rates, actual cost to provide services, and the implementation of appropriate rates based on study objectives (e.g., evaluating rate tier thresholds, customer bill impact, and revenue sufficiency and stability).

B&V was selected in March 2007 through an open, competitive Request for Proposals process to prepare a full retail cost of service study to restructure the Water and Sewer Department's retail and wholesale rates. Under the contract, B&V completed the fees and rates analysis and developed rate models that were subsequently adopted by the Board. Continuing to receive rate analysis services from B&V is critical to maintaining consistency in the development of the utilities rate structure, as B&V has a keen understanding of the department's operations, particularly its assets, capital improvements, and consent decree requirements. It is in the County's best interest to waive competitive bidding and award this contract to B&V because it is uniquely qualified to work on departmental strategies to price low water usage tiers to recover fixed costs, develop revenue enhancements that complement the rate structure, and aid in financing the capital improvement projects currently underway. Contracting with a new vendor would jeopardize the department's ability to meet Consent Decree requirements and capital improvements plan project deadlines, as well as maintain revenue streams since a new vendor would require significant time to achieve the rates and fees analysis milestones and benchmarks already established by B&V. In the future, the Water and Sewer Department will explore the cost effectiveness of future rate contracts including the purchase of a new rate model.

Scope

The impact of this item is countywide in nature.

Fiscal Impact and Funding Source

The fiscal impact for the one-year term is \$415,000. The previous contract, *EPP-RFP530*, was valued at \$1,605,000 for seven (7) years and six (6) months.

Department	Allocation	Funding Source	Contract Manager
Water and Sewer	\$415,000	Proprietary Funds	George Par
Total	\$415,000		

Track Record/Monitor

Maggie Reynaldos 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

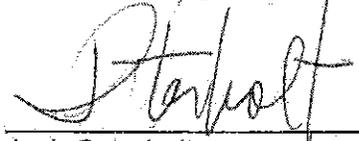
Awardee	Address	Principal
Black & Veatch Corporation	11401 Lamar Overland Park, KS	Timothy W. Triplett

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.
- The Small Business Enterprise Bid Preference and Local Preference do not apply as this is a bid waiver contract.
- 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: June 2, 2015


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

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

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 _____

Amended
Agenda Item No. 8(F)(8)
6-2-15

RESOLUTION NO. R-483-15

RESOLUTION AUTHORIZING WAIVER OF IMPLEMENTING ORDER 3-38 BY A MAJORITY VOTE OF THE BOARD MEMBERS PRESENT AND APPROVING AWARD OF A CONTRACT TO BLACK & VEATCH CORPORATION FOR PURCHASE OF WATER AND SEWER RATES AND FEES ANALYSIS FOR A ONE-YEAR TERM IN A TOTAL AMOUNT NOT TO EXCEED \$415,000.00; APPROVING TERMS OF AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE CONTRACT AND TO EXERCISE THE CANCELLATION PROVISIONS AND ALL OTHER RIGHTS CONTAINED THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, it has been established that specified items and services 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 Implementing Order 3-38 by a majority vote of the Board members present, and award a contract to Black & Veatch Corporation for purchase of water and sewer rates and fees analysis for a one-year term in a total amount not to exceed \$415,000 (the "Contract").

Section 2. This Board authorizes the Mayor or Mayor's designee to execute the Contract and to exercise all provisions of the Contract pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38. 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 **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **Daniella Levine Cava** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	nay		
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	absent
Sen. Javier D. Souto	aye	Xavier L. Suarez	absent
Juan C. Zapata	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of June, 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

Christopher Agrippa

By: 

Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Henry N. Gillman