

# Memorandum



**Date:** December 15, 2015  
**To:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners  
**From:** Carlos A. Gimenez  
Mayor

Agenda Item No. 8(F)(3)

**Subject:** Recommendation for Approval of Designated Purchase Pursuant to Section 2-8.1(b)(3) and Authorizing the First Renewal Period under Contract No. BW9754-5/25, Cloud-Hosted Communications System Service and Maintenance  
Resolution No. R-1152-15

## Recommendation

It is recommended that the Board of County Commissioners (Board) approve a designated purchase pursuant to Section 2-8.1(b)(3) of the County Code and authorize the County Mayor or the County Mayor's designee to exercise the first option-to-renew period under *Contract No. BW9754-5/25, Cloud-Hosted Communications System Service and Maintenance*. The Board's approval is required as the value of the requested renewal period exceeds the Mayor's delegated authority. This item is exempt from Committee review per Ordinance No. 07-139, which permits contract renewals to be heard directly by the Board.

The contract provides the Clerk of Courts monthly phone support services through a Cloud-Hosted Communications System (System) for Interactive Voice Response (IVR), including Short Message Service (SMS) and Voice Over IP (VoIP) capabilities. The System is flexible and customizable, lowering telephone line cost while enhancing customer satisfaction. The IVRs are maintained internally, with no additional developer training required. The System also provides for automation and custom messaging to meet the operational needs of the Clerk of Courts, including, but not limited to, the delivery of jury pool notifications, notices to appear, and traffic and parking citation payments.

This contract was awarded in October 2013 to Twilio, Inc. (Twilio) for \$240,000 for a two-year term under the Internal Services Department Director's delegated authority. The contract was modified in April 2015 to reflect a \$10,000 allocation increase for additional funds needed for service due to increased call times in regards to answering questions and processing payments via the VoIP system. An additional modification was processed to allow for an administrative extension in October 2015 for two (2) months with a prorated allocation of \$20,900 for continuity of services.

Market research was conducted to assess competitive factors such as pricing, quality, product features, technology, and operational functionality. The research resulted in the determination that exercising the first of the five (5) available renewal periods is in the County's best interest as no other vendor is capable of providing the required hosting, maintenance, and support services for the System as it is proprietary to Twilio.

## Scope

The impact of this item is countywide in nature.

## Fiscal Impact/Funding Source

The current 26-month contract term is valued at \$270,900 and expires on December 31, 2015. The total value of the first, two-year option-to-renew period is \$360,000. The increase in allocation for the requested term is due to demands forecasted over the next term. As seen in the table below, if approved, the contracts cumulative value will be \$630,900.

Department	Requested Allocation	Funding Source	Contract Manager
Clerk of Courts	\$360,000	Proprietary Funds	Miguel Mukodsi

Term	Period Covered	Amount
Initial Contract Term <i>(Inclusive of two-month extension)</i>	October 11, 2013 to December 31, 2015	\$270,900
First Option-to-Renew	January 1, 2016 to December 31, 2017	360,000
<b>Total</b>		<b>\$630,900</b>

**Track Record/Monitor**

There is no known performance issue with the awarded vendor. Brad Skinner of the Internal Services Department is the Procurement Contracting Officer.

**Delegated Authority**

If this item is approved, the County Mayor or the County Mayor's designee will have the authority to exercise the first option-to-renew period in accordance with the terms and conditions of the contract. The County Mayor or the County Mayor's designee will also have the authority to exercise future option to renew terms where exercise of such term is in the County's best interest.

**Awarded Vendor**

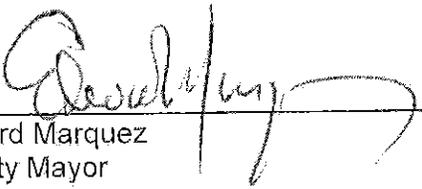
Vendor	Address	Principal
Twilio, Inc.	645 Harrison Street, Third Floor San Francisco, CA	Jeff Lawson

**Due Diligence**

Pursuant to Resolution No. 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 review of performance or compliance issues. The lists referenced include convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There are no adverse findings relating to contractor responsibility.

**Applicable Ordinances and Contract Measures**

- The two (2) percent User Access Program provision applies.
- There are no applicable contract measures as this is a bid waiver contract.
- The Living Wage Ordinance does not apply.

  
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 Edward Marquez  
 Deputy Mayor

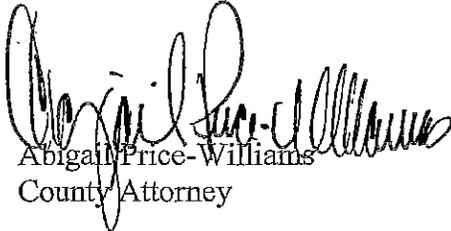


# MEMORANDUM

(Revised)

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

**DATE:** December 15, 2015

**FROM:**   
Abigail Price-Williams  
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
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing

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- 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)  
12-15-15

RESOLUTION NO. R-1152-15

RESOLUTION AUTHORIZING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; APPROVING THE EXERCISE BY THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE OF THE FIRST TWO-YEAR OPTION-TO-RENEW PERIOD IN AN AGGREGATE AMOUNT OF UP TO \$360,000.00 FOR THE CLERK OF COURTS FOR PURCHASE OF CLOUD-HOSTED COMMUNICATIONS SYSTEM SERVICE AND MAINTENANCE SUPPORT AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

**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 the purchase under normal bid procedures would not be practicable,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board finds it is in the best interest of Miami-Dade County to authorize a designated purchase pursuant to Section 2-8.1(b)(3) of the County Code by a two-thirds (2/3) vote of the Board members present and approve the exercise by the County Mayor or County Mayor's designee of the first, two-year option-to-renew period in an aggregate amount of up to \$360,000.00 for the Clerk of Courts to purchase Cloud-Hosted Communications System Service and Maintenance from Twilio Inc. and 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 **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Jean Monestime** 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	aye	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	aye	Xavier L. Suarez	aye
Juan C. Zapata	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 15<sup>th</sup> day of December, 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.

A handwritten signature in black ink, appearing to read "Hugo Benitez".

Hugo Benitez